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ABSTRACT

The text of the final Congressional hearing on H.R. 1801, a bill to reauthorize the Juvenile Justice and Delinquency Prevention Act for 4 more years, is presented in this document. Introductory statements are given by Congressmen Dale E. Kildee and Tom Lewis. Testimony by these witnesses is included: (1) Ernest E. Allen, chairman of the board of directors, National Center for Missing and Exploited Children, Louisville, Kentucky; (2) William A. Bogan, executive director, National Coalition of Hispanic Mental Health and Social Service Organizations, Washington, D.C.; (3) Janet Dinsmore, Ad Hoc Coalition for Juvenile Justice and Delinquency Prevention, Washington, D.C.; (4) Donna Gary, national board member, National Council of Jewish Women, Fairfax, Virginia; (5) Ward Leber, president, International Missing Children's Foundation, La Jolla, California; (6) Tom McDonald, first vice president, National CASA Association, Louisville, Kentucky; and (7) Ronald L. Williams, executive director, Covenant House (Under 21), New York, New York. Additional statements, letters, and supplemental materials are provided by John R. Bolton, Assistant Attorney General, United States Department of Justice; William J. Landers, Deputy Associate Attorney General, United States Department of Justice; the National Parent Teacher Association; Services for the Missing; and Congressman Tom Tauke. (ABL)

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HEARING ON H.R. 1801, TO REAUTHORIZE THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

ED304653

HEARING

BEFORE THE

SUBCOMMITTEE ON HUMAN RESOURCES

OF THE

COMMITTEE ON EDUCATION AND LABOR
HOUSE OF REPRESENTATIVES

ONE HUNDREDTH CONGRESS

SECOND SESSION

HEARING HELD IN WASHINGTON, DC, FEBRUARY 18, 1988

Serial No. 100-85

Printed for the use of the Committee on Education and Labor

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H.R. 1801, TO REAUTHORIZE THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

THURSDAY, FEBRUARY 18, 1988

U.S. HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON HUMAN RESOURCES,
COMMITTEE ON EDUCATION AND LABOR,
Washington, DC.

The subcommittee met, pursuant to recess, at 10 a.m. in room 2261, Rayburn House Office Building, Hon. Dale E. Kildee (chairman of the subcommittee) presiding.

Members present: Representatives Kildee, Visclosky, Tauke, and Grandy.

Staff present: Susan Wilhelm, staff director, S. Jefferson McFarland, subcommittee counsel, Margaret Kajeckas, clerk, Carol Behrer, legislative associate, Dan Yager, counsel, Mary Jane Fiske senior legislative associate, and Don Baker, chief counsel.

Mr. KILDEE. The subcommittee will come to order.

The Subcommittee on Human Resources meets today for our final hearing in Washington, D.C. on H.R. 1801 to reauthorize the Juvenile Justice and Delinquency Prevention Act for four additional years.

The act has been the Federal Government's primary vehicle for supporting appropriate and effective treatment of troubled youth. This has been accomplished through avenues such as the support of the Delinquency Prevention Programs, alternatives to jail, and unsecure programs, such as, runaway shelters.

Throughout the hearings to date we have repeatedly heard just how important the act has been and continues to be. Several significant themes have emerged.

First is the great importance of helping and supporting the family as a unit. Troubled youth frequently come from troubled families. In some cases the parents of these youths do not have the necessary parenting skills. In other cases marital problems, poverty, or absence of supportive community programs and resources further serve to reduce the likelihood of individual and family successes. The Juvenile Justice and Delinquency Prevention Act addresses this challenge by prescribing a community and family program focus.

When a youth runs away from home the act discourages the use of detention in favor of a shelter program which will assist and support the youth and his family. The youth is more likely to return and remain at home with a family that is willing and able to work through their problems together.

Similarly, the experiences of States such as Utah indicate that local delinquency treatment programs, including those for serious offenders, which involve the family are more likely to produce lasting rehabilitative changes.

The second theme evident in the testimony is the importance of the Federal policies in funding. As funding has become increasingly constrained at all levels of Government decisionmakers have looked more carefully at what works. In numerous instances they have been willing to make changes where the Federal dollars have helped identify and demonstrate an innovative program approach. Federal funding also serves as a form of program validation making it much easier for a local agency to obtain additional funding from State and private sources.

Even with all its successes, we must remember that the JJDPA was written by the Congress here on Capitol Hill and not on Mount Sinai. So, we welcome suggestions for ways we can further strengthen the act in order to better serve our youth and their families.

This morning we will hear from the representatives of a number of organizations experienced in providing services to youth and their families. I encourage all of them to be candid and forthright in their assessments and recommendations.

In particular, our first panel will address the reauthorization of title IV, the Missing Children Assistance Act. This part of the Juvenile Justice Act is only four years old and is facing its first legislative reauthorization and reexamination. Because this title has been very modestly funded at $4 million per year we are especially interested in learning how this money can be best targeted to address the greatest needs.

I would like to note for the record that the Justice Department declined our invitation to testify. I personally regret that. I've tried to build good relations with the new director there. But I do know that scheduling can be difficult, but I felt this was a high priority.

Without objection, I will place in the record a copy of H.R. 1801 and several letters from the Justice Department, including their formal position on H.R. 1801.

[Copy of H.R. 1801 and prepared statement and letters from the Justice Department follows:]

100TH CONGRESS
1ST SESSION

H. R. 1801

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to authorize appropriations for fiscal years 1989 through 1992.

IN THE HOUSE OF REPRESENTATIVES

MARCH 25, 1987

Mr. KILDEE (for himself and Mr. TAUKE) introduced the following bill; which was referred to the Committee on Education and Labor

---

A BILL

To amend the Juvenile Justice and Delinquency Prevention Act of 1974 to authorize appropriations for fiscal years 1989 through 1992.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Juvenile Justice and Delinquency Prevention Amendments of 1987".

SEC. 2. AMENDMENTS.

(a) AUTHORIZATION OF APPROPRIATIONS FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAMS.—The first sentence of section 261(a) of the Juvenile

Justice and Delinquency Prevention Act of 1974 (42 U.S.C. 5671(a)) is amended—

(1) by striking "1985, 1986,",

(2) by striking "and", and

(3) by inserting ", 1989, 1990, 1991, and 1992" before the period at the end.

(b) AUTHORIZATION OF APPROPRIATIONS FOR RUNAWAY AND HOMELESS YOUTH PROGRAMS.—Section 331(a) of the Runaway and Homeless Youth Act (42 U.S.C. 5751(a)) is amended—

(1) by striking "1985, 1986,",

(2) by striking "and", and

(3) by inserting ", 1989, 1990, 1991, and 1992" before the period at the end.

(c) AUTHORIZATION OF APPROPRIATIONS FOR MISSING CHILDREN'S PROGRAMS.—Section 408 of the Missing Children's Assistance Act (42 U.S.C. 5777) is amended—

(1) by striking "$10,000,000 for fiscal year 1985, and",

(2) by striking "1986,",

(3) by striking "and", and

(4) by inserting ", 1989, 1990, 1991, and 1992" before the period at the end.

U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

December 1, 1987

DEC 1 1987

Honorable Augustus F. Hawkins
Chairman
House Committee on Education
U. S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This responds to your request for views of the Department of Justice on H.R. 1801, a bill to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to authorize appropriations for fiscal years 1989 through 1992. The Department of Justice recommends against enactment of this legislation unless amended as suggested below.

H.R. 1801 would continue juvenile justice and delinquency prevention programs and grants authorized under the Juvenile Justice and Delinquency Prevention Act of 1974, as amended (42 U.S.C. 5671(a); runaway and homeless youth programs and grants authorized under Title III of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended (42 U.S.C. 5751); and missing children's programs and grants authorized under Title IV of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended (42 U.S.C. 5777) by extending the respective expiration dates from the end of the fiscal year 1988 to the end of the fiscal year 1992.

With regard to reauthorization of Titles I & II of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended (42 U.S.C. 5601-5672), we note that over the past 13 years the Federal Government has made approximately one billion dollars available for juvenile justice programs. It is clear, therefore, that the Federal Government has had an interest in, and has been a strong supporter of juvenile justice programs.

However, at a time of increasing demands upon limited Federal resources, future funding in this program area should be the responsibility of State and local governments. Nevertheless, the Department recognizes the prevailing Congressional sentiment in this area and has considered various options in order to reach an acceptable accommodation. One such option is that of consolidation of the grant programs enacted by the Comprehensive Crime Control Act of the 1984.

Attached for your information is a copy of recent testimony on this subject given by Deputy Associate Attorney General William Landers before the House Subcommittee on Crime.

The Department of Justice defers to the views of the Department of Health and Human Services as to the merits of reauthorizing Title III of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended (42 U.S.C. 5751) referred to as the "Runaway and Homeless Youth Act".

Regarding the reauthorization of Title IV of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended (42 U.S.C. 5777), referred to as the "Missing Children's Assistance Act", the Department of Justice considers the missing children's program as a core function where the Department's mission is furthered. The Department is providing a national leadership role in this area by making available to the missing children's effort technical resources of the F.B.I. and funding for the National Center for Missing and Exploited Children. For these reasons, the Department of Justice supports reauthorization of this Act. However, the Department does not support the concept of a 4 year reauthorization in this area. The Department feels that a 2 year reauthorization would be more in line with Departmental planning and that future reauthorizations be contingent upon evaluative assessments made at that time.

The Department of Justice recommends against enactment of this legislation unless amended as suggested above.

The Office of Management and Budget has advised this Department that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

John R. Bolton
Assistant Attorney General

Department of Justice

STATEMENT

OF

WILLIAM J. LANDERS
DEPUTY ASSOCIATE ATTORNEY GENERAL

BEFORE

THE

SUBCOMMITTEE ON CRIME
COMMITTEE ON THE JUDICIARY
HOUSE OF REPRESENTATIVES

CONCERNING

REAUTHORIZATION OF THE OFFICE OF JUSTICE PROGRAMS

ON

SEPTEMBER 30, 1987

Mr. Chairman and Members of the Subcommittee:

I welcome this opportunity to testify this morning on reauthorization of the Office of Justice Programs (OJP). As the Subcommittee is keenly aware, this area involves a number of important policy issues to which we are giving much thought. While we share the same objective-- to promote more effective criminal justice policies and practices throughout the entire country -- there have been some profound disagreements over the means to accomplish this end. As the Subcommittee is aware, the Administration has consistently sought termination of some programs administered by OJP. But as the Attorney General indicated in Congressional testimony earlier this year, the Administration seeks to reach a reasonable accommodation with the Congress so that we can continue to make progress in the areas of drug enforcement and prevention, as well as the myriad other vital area of criminal justice.

We, therefore, have been giving much thought to the best way for OJP to do its job effectively and efficiently. Along those lines, we are exploring several ideas and would like to share some of them with you today. I should state at the outset that these ideas are still tentative and that no firm decisions have been made. Especially, since our proposals for FY 1989 are currently under development in connection with the preparation of the 1989 Budget.

One such idea I would like to share with the Subcommittee today is that of the establishment of a unified OJP. We feel that this organizational change could increase the effectiveness and efficiency of OJP in these times of cut-back management. We feel that these goals might be accomplished by vesting the grant-making, personnel, and other authorities now scattered among several OJP components in the Assistant Attorney General. In essence, the organizational structure we proposed in Title VIII of the President's Comprehensive Crime Control Act of 1983 was the product of long and careful analysis of the activities carried out by the various components of OJP and reflected our best thinking at that time as to how to order these activities in the most rational, efficient and coordinated manner. While we recognize that the Congress rejected those proposals in enacting Public Law 98-473, we would suggest that they could be reconsidered so that the next Administration will not be confronted with the fragmented system with which we have had to work for over six years.

Need for Restructuring

The need for more effective law enforcement at all levels of government is critical and unassailable. But we also understand the severe limits on the Federal Government's ability to devote resources to this need.

A central component of a successful anti-crime strategy must be enhanced research (including statistics) and development (R&D). Grants to subsidize state and local enforcement and prevention activity should not substitute for innovative thinking about crime control. As documented so well in a recent report by the RAND Corporation, The Influence of Criminal Justice Research, by Joan Petersilia, "research has indeed helped shape the way criminal justice policymakers and practitioners think about issues, how they identify problems that need attention, which alternatives they consider for dealing with their problems, and their sense of what can be accomplished." The Petersilia study also notes the observation of eminent criminologist James Q. Wilson that "[t]he most important leadership role the [F]ederal [G]overnment can play in our decentralized system of criminal justice is to help develop and sustain the professional, rigorous, and nonpartisan analysis of ideas."

OJP was created for the purpose of putting the Department's major R&D agencies under a single administrative roof, while at the same time ensuring the independence of research work products and non-partisan handling of grant funds. Hence, the legislative compromises in 1984 and thereafter to confer grant-making and personnel authorities not only on OJP, but also on the Bureau of Justice Assistance (BJA), the Bureau of Justice Statistics (BJS), the National Institute of Justice (NIJ), and the Office of Juvenile Justice and Delinquency Prevention (OJJDP). In short,

the four OJP bureau heads are to a extent independent. This system apparently was felt by the Congress to be necessary to protect the integrity of the programs administered by the bureaus. Despite the good intentions underlying the present structure, it frustrates an integrated and coordinated approach to national crime problems. More particularly, the ideal of coordination involving, for example, statistical research (by BJS) leading to further research (by NIJ or the National Institute for Juvenile Justice and Delinquency Prevention) which, in turn, yields hypotheses that may be tested in the field (through grants to state and local governments by BJA) is difficult to achieve. Coordination processes become cumbersome and accountability is difficult to enforce. Furthermore, there is an overlap in expertise from component to component because of the common issue area mandates.

With the expiration of several program authorities at the end of Fiscal Year 1988, this is an excellent opportunity to take another look at these organizational defects, while at the same time enhancing the Federal Government's capability to conduct criminal justice R&D programs.

The major features of a unified OJP structure could be as follows:

-- Revise the statutory authorities for BJA, BJS, NIJ, and OJJDP.

-- Transfer programmatic, grant-making, and personnel authorities now residing in BJA, BJS, NIJ, and OJJDP to the Assistant Attorney General for OJP. In addition, retain other statutory authorities, including those exercised though delegation, now residing in OJP. (This would include reauthorization of the Victims of Crime Act.)

We would suggest that fewer mandates for expenditures of funds for particular purposes be included. We will have several specific recommendations for changes in the expiring statutes at a later appropriate date.

-- Divide OJP -- administratively rather than by statute -- into a research component and a grant-making component. The precise organizational structure would be set by the Assistant Attorney General. We are confident that the scholarly integrity of research products can and would be maintained under a unified structure while the efficiency and quality of work product would be enhanced.

Benefits of Unification

Unification of OJP would help streamline management within the Department, conserve scarce financial and staff resources, and provide more continuity, focus, and coordination on criminal justice research (including statistics) and development issues of

national priority. More specifically, we believe unification could result in the following benefits:

-- The Assistant Attorney General would be more accountable to the Congress by exercising direct control over OJP. Currently, the Congress calls the Department to account for the actions of OJP components, but independent programmatic, grant-making, and personnel authorities are exercised by OJP components.

-- OJP could address pressing problems by concentrating in areas of national priority. Grants could be focused more to promote state and local innovation than merely to subsidize the on-going activities of entrenched entities which depend more upon political "clout" than quality and quantity of work product for their continued existence.

-- Unnecessary administrative layers within OJP would be eliminated as would duplication of expertise among OJP components.

-- Coordination among the criminal justice research and development (including grant-making) arms of OJP would be easier and less costly to achieve. Focused attention on national priorities would be realized more efficiently.

-- The scholarly integrity of research work products would be more easily ensured by the stricter accountability of the Assistant Attorney General for OJP activities.

In conclusion, I would like to stress that this is not a formal proposal at this time. Rather, it is a matter that is still under discussion within the Administration along with other possibilities. This proposal is indicative, however, of current thinking within the Department.

We would be pleased to work with your staff as to the details of OJP's reauthorization.

Thank you.

U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

10 FEB 1988

Honorable Dale E. Kildee
Chairman
Subcommittee on Human Resources
Committee on Education and Labor
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

This is in response to your letter to Verne L. Speirs, Administrator, Office of Juvenile Justice and Delinquency Prevention, inviting him to testify at a hearing before the Subcommittee on Human Resources on Thursday, February 18, 1988.

Unfortunately, I must inform you that Mr. Speirs will not be available to testify, inasmuch as he is scheduled to chair a meeting of the Federal Coordinating Council that same morning; the meeting was announced in the Federal Register last month. We appreciate the efforts of Subcommittee staff to find an alternate date that would accommodate Members' schedules; however, as we understand the situation, this was not possible. Please be assured that, should the Subcommittee wish Mr. Speirs to testify at some future date, we will make every effort to accommodate your request.

In addition, we would appreciate it if, in the future, you would extend hearing invitations to Department of Justice witnesses through the Office of Legislative Affairs. The Attorney General has designated this office to handle all such matters.

I regret that we must decline your kind invitation to Mr. Speirs. I appreciate, however, your giving the Department of Justice the opportunity to testify before your Subcommittee.

Sincerely,

John R. Bolton
Assistant Attorney General

Mr. KILDEE. Mr. Tauke will be here. He, too, has a very difficult and understandable schedule conflict, but he will be joining us soon.

I would like to welcome all our witnesses.

The first to testify is my colleague, a person whose interest in children has just been enormous, one who's been helpful to me, Congressman Tom Lewis, from Florida. Congressman Lewis.

STATEMENT OF HON. TOM LEWIS, A U.S. REPRESENTATIVE FROM THE STATE OF FLORIDA

Mr. LEWIS. Thank you, Mr. Chairman.

And thank you for holding this subcommittee hearing. I would like to take a moment to just mention the fine work that you've done over the years in the area of missing and runaway children, and I just feel that the subcommittee has the proper leadership in order to move forward in this area. Your interest and commitment in seeking measures which assist to protect our children is highly commendable. And under your guidance I am confident that we will win the battle for this nation's missing and exploited children.

Beginning in 1983, the issue of missing and runaway youth has received significant national attention. And I am encouraged by the renewed enthusiasm given to the plight of many troubled youth in this nation, particularly the enthusiasm displayed at the grassroots level. Having served in public office for many years, I firmly believe our ability to continue to motivate and assist those serving on the local and State level provides us with a long-term, solid foundation to better serve youth who are in need of immediate assistance.

Mr. Chairman, as you are aware, I recently told various State clearinghouses to assess their current status and to determine the effectiveness that Federal funds have on them. In addition, it was my intention to learn of the impact these clearinghouses have in the education of parents and the location of children.

Upon reviewing the return surveys, I am convinced that State clearinghouses are a vital key to locating missing children and should be implemented in all States if we are to effectively combat this tragic problem.

While I am encouraged by the establishment of a National Center, I believe it is essential that there be a link between all levels of law enforcement—local, State, and national. After all, when a child is missing a parent's first reaction is to call the local police department. For this reason, local law enforcement officers should be trained experts in crisis situations involving missing and abducted children. With the proper telecommunication systems and trained personnel, State and local law enforcement are able to work in coordination with other agencies involved in abducted and/or missing youth and serve as an effective, extremely great, frontline resource in the fight to locate and serve our children, and in effect, save them.

In an era of budget constraints, it is critical that our monetary resources be streamlined to that which proves to be the most effective.

Over the past several years the role of State clearinghouses for missing and exploited children has blossomed. Our growing awareness of the need to provide immediate assistance for these children has prompted public and private sectors to work in close coordination. It is evident that the State clearinghouses have in the past and will continue to play a large role in this endeavor in the future.

My legislation, H.R. 1653, provides the Federal Government a means by which to enter a cooperative effort with States to help our children. I believe we need to insure that the needs of our children in this country are addressed beginning now, and in the future.

Given the positive effect clearinghouses can have on the long-range policy to assist our children, I urge that my legislation H.R. 1653, providing matching funds to States for clearinghouses, be included in the subcommittee's reauthorization legislation.

In closing, Mr. Chairman, I want to again thank you and your fine staff for all the assistance that they have provided us personally and young children throughout this country. And thank you for allowing me to testify, and I look forward to working with you in the future in any way that I may.

[The prepared statement of Hon. Tom Lewis follows:]

TESTIMONY OF
THE HONORABLE TOM LEWIS
BEFORE THE HOUSE SUBCOMMITTEE ON HUMAN RESOURCES

FEBRUARY 18, 1988

Mr. Chairman and distinguished members of the Subcommittee, let me take a moment to thank you for scheduling this important reauthorization hearing. Your interest and commitment in seeking measures which assist to protect our children is highly commendable. Under your guidance, I am confident that we will win the battle for this nation's missing and exploited children. Since 1983, the issue of missing and runaway youth has received significant national attention. I am encouraged by the renewed enthusiasm given to the plight of many troubled youth in this nation, particularly the enthusiasm displayed at the grassroots level.

Having served in public office for many years, I firmly believe our ability to continue to motivate and assist those serving on the local and state level provides us with a long-term, solid foundation to better serve youth who are in need of immediate assistance.

As you are aware, I recently polled various State Clearinghouses to assess their current status and to determine the effect that federal funds have on them. In addition, it was my intention to learn of the impact these clearinghouses have in the education of parents and the location of children.

Upon reviewing the returned surveys, I am convinced that State Clearinghouses under the auspices of state law enforcement agencies are a vital key to locating missing and abuducted children, and they should be implemented in all States if we are to combat this tragic problem.

While I am encouraged by the establishment of a National Center , I believe it is essential that there be a link between all levels of law enforcement: local, state, and national. We must provide state and local law enforcement agencies with a cohesive and cooperative program to handle problems related to locating missing children. After all, when a child is missing, a parent's first reaction is to call the local police department. Therefore, it is vital that these local law enforcement officers have ready access to information files that will provide key statistics on a missing child and access to a system that will alert law enforcement agencies.

Local law enforcement officers should be trained experts in crisis situations involving missing and abducted children. With the proper telecommunications systems and trained personnel, state and local law enforcement are able to work in coordination with other agencies involved in locating abducted and or missing youth, and serve as an extremely effective front-line resource in the fight to locate and save our children.

My home state of Florida is a leader in the nationwide effort to locate missing children. In 1982 on a shoestring budget, the Florida Department of Law Enforcement established an in-state missing children information clearinghouse. Such clearinghouses are currently located in 35 states. While this is the majority of states, 15 still do not have a statewide automated mechanism for responding to cases of missing children. States like Florida have found that these in-state clearinghouses can work closely with private organizations, public agencies and parents to develop a comprehensive and uniform educational program desigend to instruct parents and children of possible dangers. Establishing similar networks in all 50 states is something that we must continue to work toward.

In an era of budget constraints, it is critical that our monetary resources be streamlined to that which proves to be most effective. Over the past several years, the role of state clearinghouses for missing and exploited children has blossomed. Our growing awareness of the need to provide immediate assistance for these children has prompted public and private sectors to work in close coordination. It is evident that state clearinghouses have in the past and will continue to play a large role in this endeavor. My legislation , H.R. 1653, provides the federal government a means by which to enter a cooperative effort with states to help our children.

Mr. Chairman, as the only House Member serving on the President's Child Safety Partnership, I was an active participant in the White House Ceremony in which the Partnership report was presented to President Reagan. I am proud to say the Partnership's final report includes a recommendation to implement my proposal to establish statewide clearinghouses for missing and victimized children.

Children are America's future - our future workers, leaders, parents, and teachers. Unless we invest in children today, we will not have the skilled, healthy and productive workforce that we need to compete in the world economy and ensure our economic and social security tomorrow.

I believe we need to ensure that the needs of our children in this country are addressed, now and in the future. Given the positive effect Clearinghouses can have on the long range policy to assist our children , I urge that my legislation , H.R. 1653 , providing matching funds to states for Clearinghouses, be included in the Subcommittee's reauthorization legislation.

In closing , Mr. Chairman , I want to again thank you and your fine staff for all your assistance on this matter.

Thank you for allowing me to testify , and I look forward to working with you in the future on this most important issue.

Mr. KILDEE. Thank you, very much, Mr. Lewis.

You personally, and your staff, have been very helpful in working with myself and my staff. You've brought with you to the Congress a great deal of knowledge, but also a great deal of sensitivity in this area which is of great importance to the Congress. I personally appreciate that.

I guess what frustrates me is our lack of dollars, because I think the concept that you have brought forth would help us serve more children. We are going to try to work those things through with you as we proceed through this reauthorization. I think that we need to serve more children, and your concept would help do that.

You remind me in the best sense of the word, of the story in the New Testament where we are told that a person keeps knocking on the door. Pretty soon the master answers the door because he can't stand the knocking. You've been very persistent and very, very good and we appreciate that. You've also had a good substantive message with the press.

Mr. LEWIS. Well, thank you, Mr. Chairman.

It's just like anything else. I just have to believe that we certainly have to get our priorities in order.

Mr. KILDEE. Thank you, very much.

Mr. LEWIS. Thank you, Mr. Chairman.

Mr. KILDEE. Mr. Grandy, do you have any question or any comment?

Mr. GRANDY. Yes, if I could ask Mr. Lewis something before he leaves.

I'm curious to know, if you put a dollar amount into H.R. 1653 to indicate how much you think you need?

Mr. LEWIS. Yes, there is. H.R. 1653 does have a dollar amount, but that amount certainly is changeable. We're talking somewhere in the neighborhood of about $2 million.

Mr. GRANDY. You said $2 million.

Mr. LEWIS. Yes, $2 million as matching funds to the various States. Now, ironically since we filed the bill, which has been in two Congresses now, we've gone from 2 States to about 11 States that have provided clearinghouses.

And back in 1979 and 1980, when I was in the Florida legislature, is when I got involved in the clearinghouses with the State Department of Law Enforcement. In doing so, we just provided some funds for computer operators and it has blossomed into a clearinghouse. And for three years this was the only clearinghouse in the country that was used nationally, and used during the Adam Walsh filming and things such as this, to start off the national chase for runaways and missing children.

Mr. GRANDY. And do you figure the allocations to States on the same kind of formula basis—the number of 18-year-olds in the State? How would my State, Iowa, for example, compete with a State like yours, Florida? Is there a formula for each State based on——

Mr. LEWIS. No, the formula basically could be used on—and the Department of Justice could establish this as to population or what have you and it wouldn't make any difference so long as you looked at the population of the State. And the need, the amount, is

not that great that is needed for a clearinghouse to get into the National Information Crime Computer. That's really all you need.

And my greatest concern is that—if your car is stolen here in Washington, D.C. and it has an Iowa license plate on it and they spot that in California, within two minutes they can identify your vehicle. Well, I certainly feel we ought to be able to do the same for missing children, runaway or otherwise.

Mr. GRANDY. So, basically what you're saying is you're hoping to set up a national software network so that we can identify and track children.

Mr. LEWIS. This is true. We have the networks in place. What it needs now is the various States to become part of that link in the chain.

Mr. GRANDY. I see.

And Mr. Chairman, am I correct in assuming that there was $4 million in the missing children title in the last appropriation for the Juvenile Justice Act?

Mr. KILDEE. Mr. Grandy, I didn't catch it.

Mr. GRANDY. I'm sorry. I was just asking was there about $4 million appropriated for title IV for the missing children?

Mr. KILDEE. Yes, that is——

Mr. GRANDY. So, Mr. Lewis' would be another $2 million to provide specifically for this——

Mr. KILDEE. The actual authorization in the authorization bill does not have a figure. It says, "such sums."

Mr. GRANDY. Right.

Mr. KILDEE. But the amount of money appropriated was in the $4 million range. So, we would, in order to fully implement and keep the present program, we would have to go to the Appropriations Committee to seek funding for that.

Mr. GRANDY. Okay. That was my question. I assume what we're talking about is not impairing the program that is now in place, but adding Mr. Lewis' program and funding it accordingly.

Mr. KILDEE. If we were to fund state clearinghouses that's one thing we'd want to be careful of, not impairing the program we do have in place. To make sure that we're not drawing money from a program that is already in place and working, we'd have to find some additional funding. Now, under the terms "such sums," of course, we have no cap. We might want to deal with the Appropriations Committee and see what assurances we can get that they would not be taking from one pocket to put in another pocket and decreasing the existing program.

My biggest concern is that we not sacrifice one program for another. Tom and I've talked this over, and I'm really going to try to see what we can do to work this out. I use the analogy that an airplane has to have a certain air speed in order to stay aloft, and if you reduce that air speed it can't stay aloft. We don't want to reduce the air speed of one program in order to help another program. So, we're going to try to see what assurances we could possibly get to make sure that we will not take from this program to fund another program. All analogy is limp and that one crashed, I think right there. [Laughter.]

Mr. GRANDY. Thank you, Mr. Chairman. Thank you, Mr. Lewis.

Mr. KILDEE. Mr. Tauke, do you have any opening statement or question of Mr. Lewis?

Mr. TAUKE. I want to thank Mr. Lewis for appearing and apologize for not being here. I had to meet with some constituents in another subcommittee meeting. I will review with interest your testimony, and I'll spare you from any questions.

Mr. LEWIS. I appreciate that.

Mr. KILDEE. Thank you, Tom. Thank you for your interest and the knowledge you've brought to this question.

Mr. TAUKE. Mr. Chairman, I'll also spare you from an opening statement if you'll allow me to submit it for the record.

Mr. KILDEE. Without objection. [Laughter.]

[The prepared statement of Hon. Tom Tauke follows:]

The Honorable Tom Tauke
Subcommittee on Human Resources
Reauthorization Hearing on JJDPA
February 18, 1988

Thank you, Mr. Chairman. As we near the end of the series of hearings this Subcommittee has held on the reauthorization of the Juvenile Justice and Delinquency Prevention Act, I want to commend you on the excellent witnesses you have brought before the Subcommittee to inform and advise us on matters regarding this Act. I think it is important to note that we have heard nearly unanimous, enthusiastic support for reauthorization of the Juvenile Justice and Delinquency Prevention Act.

Today, in addition to further testimony on Titles II and III of the Act, we will receive testimony on the Missing Children's Assistance Act, Title IV. As the newest addition to the Act, this Title should receive our careful attention. Since enactment of the Missing Children's Assistance Act in 1984, we have gained a much clearer understanding of the issues involving missing children. With the hysteria behind us and with the increased information available now, we are in a good position to refine Title IV to better address the very serious problem of missing children.

Finally, Mr. Chairman, I would like to acknowledge your invitation to the Administrator of the Office of Juvenile Justice

and Delinquency Prevention to testify this morning. Unfortunately, Mr. Spiers has a scheduling conflict and is unable to appear today. I understand, however, that the Department's bill report on H.R. 1801 will be made a part of the record.

Again, thank you, Mr. Chairman. I look forward to this morning's testimony.

Mr. KILDEE. Our first panel this morning will consist of Ernest E. Allen, Chairman of the Board of Directors, National Center for Missing and Exploited Children, Louisville, Kentucky; and Ward Leber, President of the International Missing Children's Foundation, La Jolla, California.

Mr. Allen is accompanied by a person well-known by this committee, the President of the National Center, Bud Meredith, who among one of the first things he did when he became president was drop by as a courtesy call to my office which was very much appreciated. He's been there again since. I appreciate that.

Mr. ALLEN. Mr. Chairman, we have submitted formal testimony and would request that it be included in the record and with your permission I would like to briefly summarize, without objection.

Mr. KILDEE. We appreciate that.

STATEMENT OF ERNEST E. ALLEN, CHAIRMAN OF THE BOARD OF DIRECTORS, NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN [NCMEC], LOUISVILLE, KY, ACCOMPANIED BY ELLIS E. MEREDITH, PRESIDENT, NCMEC; AND JOHN RABUN, DEPUTY DIRECTOR FOR TECHNICAL ASSISTANCE, NCMEC

Mr. ALLEN. Thank you, very much.

The National Center, as you know, is a public/private partnership. And what I would like to focus on briefly this morning are those functions mandated by the Missing Children's Assistance Act which the Center is performing with the assistance of the Office of Juvenile Justice and Delinquency Prevention.

The specific areas on which I would like to report to the committee are: the mandate to operate the national toll-free hotline; the mandate to operate a national resource center and clearinghouse for technical assistance and information dissemination; and the mandate to assist OJJDP in performing its task of coordinating the programs relating to missing children.

Very briefly, I would tell the committee that I think the impact has been substantial, and I'd like to give you a few quick illustrations, first starting with the hotline.

Since its inception and through 1987, the Center's hotline has received over 272,000 phone calls. Included in those phone calls are more than 18,000 reports of possible missing children, almost 1,100 reports of suspected sexual exploitation of children not identified as missing, and more than 37,000 reports of possible siting of missing children. And to give you an idea of the volume three years later, the Center over the past two years has averaged 155 calls per weekday and over 40 calls per weekend day.

The process by which those calls are handled, we think, is very important. We have a team of technical advisors, all of whom have professional law enforcement background. And those calls that are not merely requests for information are automatically relayed to the technical advisors who network with a variety of law enforcement agencies, social services agencies, the private non-profit organizations around the country who are dealing with missing children problems, and those other child-serving groups in America.

By example, if the call relates to a runaway child the hotline relays that information to the national runaway swithchboard and

to the other national runaway hotlines, as well as to the various missing children's support groups. If the child is a runaway under the age of 14, or the caller provides reasons to believe that the runaway is in danger of abuse or sexual exploitation, the call is immediately assigned to a technical advisor who helps that caller to find out how to report the information, to identify the appropriate law enforcement agencies. We work with them.

Calls regarding an abduction by a parent or by a non-family member are similarly immediately assigned to a technical advisor for assistance in a broad array of areas.

We believe that the hotline has been a success in serving as a central point for information dissemination and as the initial point, or an initial point, for receiving reports of possible sitings and reports of missing children. And in addition, we have worked with a lot of organizations and agencies and we allow the use of our hotline number in law enforcement, in missing children publications to also increase the network.

Regarding the second functional mandate of the National Center under this act—and that is functioning as a national resource center and clearinghouse—the key objective there has been to provide technical assistance to law enforcement, to social services agencies, and to individuals. And those requests, just to give you a quick idea of the volume, over the past two years we have averaged over 4,000 requests a year regarding missing children cases specifically and more than 200 requests relating to sexually exploited children who are not identified as missing. We think that's significant.

And to give you an idea of the kind of impact that this is having—while the Center was not anticipated under the legislation as actually recovering missing children, we have worked directly with the groups and organizations that are. And the information, the technical assistance provided, has been of assistance in the recovery of more than 9,600 missing children.

To give you a quick breakdown of that number, 6,592 of those children were voluntarily missing and believed to be in danger and jeopardy of sexual abuse or exploitation; 2,444 of those cases were parental kidnappings; 205 of those cases involved abduction by unknown individuals; and 438 of those cases we simply categorize as other missing cases. The available data and information is not adequate to appropriately identify in which category they might fall.

With that technical assistance information and the technical assistance we provide, I think it's important to note that about 11 percent of those referrals that come through the Center result in the dissemination of the child's photo and background information through a network which the Center has put together that now includes 953 private companies and 30 Federal agencies.

And I'd like to interject here that, as you know, Congress authorized the distribution of missing child photos in official mail from the Congress and the executive branch in 1985. And to give you an idea that it's working, more than 100 children have been recovered as a direct result of that act, so our thanks and appreciation.

We have also—in terms of the resource center and clearinghouse function—we have also worked closely with an array of Federal agencies, Federal law enforcement agencies, and that includes the

FBI regarding the unlawful flight to avoid prosecution in cases of parental abduction, and with the United States Customs Service by receiving reports of child pornography through the Center's hotline and then referring them to Customs agents. And to give you an idea of the impact of that, the hotline has borne no additional cost as a result of that relationship and that use has already generated 77 leads which have produced investigations by the Customs Service regarding the sexual exploitation of children.

In addition, we work with Interpol and we work with the Department of State in efforts to recover children in international parental kidnapping cases. And if I could do a quick commercial here, as effective as our direct technical assistance has been, it could be more effective if we had ongoing access, with appropriate protections, to NCIC. It would dramatically shorten the timeframe in terms of identifying cases and turning around the information.

Coordination, that certainly was a mandate to your legislation. I am proud to report to you that there are now 39 State clearinghouses in the United States, and that those clearinghouses are doing good work. We believe that the State is the appropriate coordination point in terms of dealing with law enforcement in the array of agencies. Canada has a clearinghouse with which we work closely. And the Center is in fact administering OJJDP funded grants for 22 of those clearinghouses. We have clearinghouse staff specifically assigned. An important network is developing.

Mr. Lewis' legislation would be very positive and we, of course, are supportive. But much is happening and we're moving right along.

Regarding the non-profit organizations, we recognize that many of the non-profit organizations were in place and serving parents and children well before the passage of the act. But, it is a top priority for us to network with them. To work with them, we have assigned staff, we provide computer networking, we provide monthly updates of information relevant to missing children and non-profit status. Our hotline operators and technical advisors make regular referrals to the non-profit organizations and we have, in addition, formed a non-profit organization liaison committee.

And my commercial on this point is that the grants to missing children's organizations, under section 406 of the act, have served as important seed money which have allowed many of these vital organizations to use those dollars as leverage to stay alive and to find other private funding sources. Reauthorization of the provisions that authorize these grants and technical assistance is imperative for the non-profits.

I'll try to move quickly through a couple of other points. Publications. The National Center has disseminated 1.7 million publications—copies of our 8 books and 11 brochures—regarding practice methods and a variety of technical information for law enforcement and other agencies, and we've done that free of charge.

One of those publications I would specifically like to mention was a publication that we generated in 1985 regarding selected State legislation—examples of model bills that individual States could take a look at relating to missing children, sexually exploited children, children in the courtroom, those licensing and criminal history checks regarding those who work with children. And it is our

assessment that laws are changing and systems are changing all over the United States. And the 39 clearinghouses, frankly, are one of the products of that legislative effort. That's working.

The National Center actively engages in the training of criminal justice and juvenile justice and social services personnel. Since the inception of the Center we have trained more than 22,000 of such individuals in 41 States and Canada. And I would report to you that there is an interesting dynamic taking place, and that is, we don't get fewer requests for training and technical assistance as a result, we get more. And the requests are becoming more complex. And I think that reflects the growing sophistication and awareness of those out there dealing with the problem.

In summary, Mr. Chairman, I think a tremendous amount has been done. It has been accomplished by the State legislatures, by State and local governments, by non-profit organizations, and by individuals to address this complex problem. Many of the efforts began before the Missing Children's Assistance Act. But they would not have had the success that they have experienced without the financial support of the act.

In the legislation we identify 10 other areas—or in the statement we've submitted—that we believe need to be addressed in addition to the continuation of the work that's being done. And I'll just mention a couple of those.

I indicated earlier that we are proud of the fact that there are 39 State clearinghouses. That's the good news. The bad news—there is 11 States that don't have State clearinghouses. We think that needs to happen.

The custodial interference, parental kidnapping legislation across America is frankly a mishmash. There needs to be uniform State criminal custodial interference statutes to deter parental kidnapping and to punish those who commit it and endanger their children.

Nationwide requirements for registration and investigation of missing child reports by local and State law enforcement agencies. Interstate agreements.

And one very important one—and I won't go through the rest of the list—we believe that there needs to be significant and detailed research into the most effective ways of preventing the runaway population from being sexually exploited or engaging in delinquent behavior. That increases their risk and their endangerment.

We are thankful to you and to your committee and to the Congress for your leadership and your support in enacting and funding the Missing Children's Assistance Act. And we sincerely hope that Congress will once again show its concern for this truly national problem by reauthorizing the act. We are grateful of the opportunity to be here and want to assure you that the National Center stands ready to work with you and help you in any way. And we'd be happy to respond to any questions.

[The prepared statement of Ernest E. Allen follows:]

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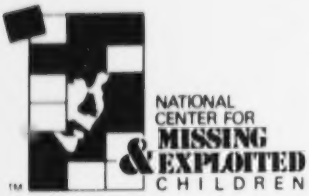


1835 K Street N.W. • Suite 700 • Washington D.C. 20006
202-634-9821

TESTIMONY OF

Ernest E. Allen
Chairperson, Board of Directors
NATIONAL CENTER FOR MISSING AND EXPLOITED CHILDREN

on

H.R. 1801
JUVENILE JUSTICE AND DELINQUENCY PREVENTION AMENDMENTS OF 1987

before the

SUBCOMMITTEE ON HUMAN RESOURCES
COMMITTEE ON EDUCATION AND LABOR
UNITED STATES HOUSE OF REPRESENTATIVES

February 18, 1988

Mr. Chairman, on behalf of the Board of Directors of the National Center for Missing and Exploited Children, I want to thank you for this opportunity to testify on H.R. 1801, the Juvenile Justice and Delinquency Prevention Amendments of 1987. I will direct my remarks to Title IV of the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, the Missing Children's Assistance Act.

The Missing Children's Assistance Act identified a number of major tasks to address the needs of missing children and their families. Three of these tasks were to be performed by the Office of Juvenile Justice and Delinquency Prevention (OJJDP):

1. Analysis, compilation, publication, and dissemination of an annual summary of recently completed or ongoing research and demonstration projects, with particular emphasis on effective models of local, state, and federal coordination and cooperation; promotion of community awareness; prevention of abduction and sexual exploitation; and treatment, counseling, and other aid to parents of missing children or to child victims of abduction or sexual exploitation;

2. Preparation of an annual comprehensive plan to facilitate effective cooperation and coordination among all agencies and organizations with responsibilities related to missing children; and

3. Facilitation of coordination among all federally funded programs relating to missing children.

OJJDP was also charged with the responsibility to fund other groups by grant or contract to perform four other major tasks:

1. Establishment of a national toll-free telephone line to receive reports of the location of a missing child and of any other child under the age of 14 whose whereabouts are unknown to the child's legal custodian, and to provide information on the procedures to reunite such a child with his/her legal custodian;

2. Establishment and operation of a national resource center and clearinghouse to provide technical assistance to local and state governments, public and private nonprofit agencies, and individuals in locating and recovering missing children; to coordinate such public and private programs; to disseminate information about innovative and model programs, services, and legislation; and to provide technical assistance in the prevention, investigation, prosecution, and treatment of the missing and exploited child case;

3. Periodical performance of national incidence studies of missing children; and

4. Development of research, demonstration projects, or service programs designed to educate parents, children, and community groups in prevention of abduction and sexual exploitation of children; to provide information to assist in the location and return of missing children; to aid in the collection of materials useful to parents in assisting others in identifying missing children; to increase the

knowledge of and develop effective treatment pertaining to the psychological consequences of abduction and sexual exploitation on the child and his/her parents; to collect data on actual investigative practices of law enforcement agencies; and to minimize the negative impact of judicial and law enforcement procedures and promote active participation of children and their families.

The National Center for Missing and Exploited Children is supported by a public sector-private sector partnership. On the public sector side, the Center has been funded by the Office of Juvenile Justice and Delinquency Prevention to operate the national toll-free hotline and to operate the national resource center and clearinghouse for technical assistance and information dissemination, and to assist OJJDP in performing its task of coordinating federally funded programs relating to missing children. The Center has also been actively involved in providing technical assistance to, and disseminating information about, those programs receiving federal funds for research, service projects, and demonstration projects relating to missing children.

The experience of the National Center underscores the need for reauthorization of the Missing Children's Assistance Act. Let me elaborate.

At the time Congress was considering the initial authorization, John Walsh, the father of Adam Walsh, testified that at the time of his son's disappearance there was no central point to which a parent, police, or others looking for a missing child could turn for assistance. There was little information disseminated to the public about what the National Crime Information Center (NCIC) does, and how one goes about entering a missing person report on it. People assumed that the FBI would immediately enter the case, that police would immediately start looking for a child, and that police knew how to distinguish between a runaway incident and an abduction. No one knew how frequently children are kidnapped by a parent and disappear, or how frequently children are kidnapped by a parent and are taken to a foreign country. The incidence of sexual exploitation of missing children was seriously underestimated. Small missing children's organizations, formed by parents and friends of missing children, struggled to link up with other groups around the nation. Little was known about the complexity of state laws in protecting children from abduction and sexual exploitation, and in helping recovery and treatment efforts.

Today, due to the Missing Children's Assistance Act, many of these problems are being addressed, although the work is not finished.

HOTLINE

The toll-free Hotline for the National Center, 1-800-843-5678, operates seven days a week, using 12 incoming national 800 lines,

a national TDD line for the deaf (1-800-826-7653), and two 800 lines linking us to Canadian calls. A line for calls from the District of Columbia (634-9836) is newly available. Operators are on duty 16 hours per day Monday through Friday, and 8 hours per day on the weekend; taped messages with instructions are available during the other hours. All calls are tape recorded 24 hours a day for assistance to law enforcement.

As of December 31, 1987, the hotline had received 215,459 calls requesting information, 18,447 reports of possible missing children, 1,099 reports of suspected sexual exploitation of children not identified as missing, and 37,230 reports of possible sightings of missing children, making a total of 272,235 calls. For the last two years this has averaged out to 155 calls per weekday and 43 calls per weekend day.

Hotline operators are able to handle many of the information requests by sending one of National Center's publications (list of publications is attached). Other requests are directed to one of the technical advisors or to the legal technical assistance staff. Possible sightings are relayed to technical advisors, all of whom have professional law-enforcement backgrounds. Since the Center is not an investigative agency, it makes sure that the sighting information is immediately provided to the appropriate law enforcement agency looking for the child.

Callers reporting missing children are questioned about the circumstances to help establish eligibility for Center services. If the child is a runaway, the caller is referred to the National Runaway Switchboard and two other national runaway hotlines, as well as to missing children's clearinghouses, missing children's organizations, and social service organizations in the caller's area. The hotline operator also sends the Center's brochure "Just in Case...Your Child Is a Runaway. If the child is a runaway under the age of 14 or the caller provides reasons to believe the runaway is in danger of abuse or sexual exploitation, the call is immediately assigned to a technical advisor, who helps the caller by giving instruction on how to file a missing person report with the police, and how to work with the law enforcement agencies, state clearinghouse on missing children and nonprofit missing children's organizations in the caller's area. If a runaway child calls and requests assistance in returning home, the hotline operators help the youth get free transportation from the Greyhound/Trailways Bus Lines, Inc., Missing Children transportation program and lodging through the Quality Inns, which are programs available to all runaways through local law enforcement agencies. Parents traveling to recover abducted children are also assisted through these programs and through a similar program provided by a major airline.

Calls regarding children abducted by a parent or by a non-family member are immediately assigned to a technical advisor for assistance in the steps to be taken in filing the missing person report and in working with the police, missing children's clearinghouse, and missing children's organization in the caller's area. If the caller

is the attorney for a parent whose child has been abducted, the legal technical assistance staff is also notified.

The hotline has been a success in serving as a central point for information dissemination, and as an initial point for receiving reports of possible sightings and reports of missing children. Because of the extensive efforts at outreach by the Center's publications department and technical advisors and the close relationships with the state clearinghouses and missing children's organizations, there has been a notable increase in the number of inquiries for information coming through the Center's main telephone number (202: 634-9821) rather than through the hotline. This has freed up lines for more detailed assistance to those reporting possible sightings and missing children. Many organizations from law enforcement and the private sector request and are granted permission to use the National Center's hotline number in their publications and information dissemination activities. We therefore believe that there is a continued need for funding a national hotline to serve the purposes in the Missing Children's Assistance Act.

The Center and OJJDP are planning to co-host a national conference of representatives of all toll-free hotlines that provide services related to children. We believe that such a conference will lead to more efficient operations, as information is shared about technical operations and services provided. This conference should enhance current direct referrals between hotlines and prevent any duplication of effort.

TECHNICAL ASSISTANCE IN RECOVERING CHILDREN

The Missing Children's Assistance Act never envisioned that the national resource center and clearinghouse would actually recover missing children. Instead, it was designed to assist those governmental, public, and private agencies and individuals who do attempt to locate and recover missing children. The National Center has conducted its activities as a resource center and clearinghouse within those statutory purposes. We have no field offices, conduct no investigations, and do not provide legal representation for parents, but we assist those law enforcement and other agencies of local and state government, missing children's organizations, and individuals who are attempting to locate and recover such children.

Requests for technical assistance in specific cases are referred to our technical advisors from law enforcement agencies, state clearinghouses on missing children, missing children's organizations, and parents. Requests come through the hotline and other telephone calls, by NLETS messages from law enforcement agencies, and by letter, at an annual average over the past two years of well over 4,000 requests relating to missing children and more than 200 requests relating to sexually exploited children who are not identified as missing. About 44% of these requests relate to runaways where there is reason to believe they are likely to be abused or sexually exploited, and another 41% relate to children kidnapped by a parent.

Case-specific technical assistance provided by the Center varies widely due to the variety of requests. Almost all the cases require extensive discussions with the caller, and more than a third require in-depth discussions with law enforcement personnel; these each usually total at least an hour. Ninety per cent subsequently involve the review of investigative reports or court documents and the preparation of supplementary reports by the technical advisors. In addition, 45% of the cases require the mailing of Center publications in addition to those already sent by hotline operators, 14% require referral to missing children's and other organizations for local assistance, and 11% involve preparation of photos of the child and accompanying copy for distribution to various national media.

The Center has provided such technical assistance in the cases of the more than 9,600 missing children who were subsequently recovered. In many cases we know that the technical assistance led directly to the recovery; in others, unfortunately, we have received very little feedback as to how the technical assistance was used. For example, in many cases a police officer merely calls to discuss an additional approach in trying to locate the child, but never informs the Center as to whether that approach was used when we receive a message that the child was subsequently recovered. Some of the requests are merely seeking other sources of information, or interpretations of laws and legal procedures relevant to a particular case. Frequently a representative of a state clearinghouse or missing children's organization merely wants to know whether another state court will follow a particular procedure in a parental kidnapping case.

To assist agencies in enhancing the opportunity for persons to sight missing children, over the last three years the Center has developed a system for distribution of photographs and accompanying copy of missing children through 953 companies in the private sector and 30 federal agencies. Congress authorized the distribution of these photos in official mail from Congress and the executive branch in 1985, and the Metzenbaum-Roth Amendment to the Continuing Resolution last December reauthorized this program through 1992. More than 100 children have been recovered as a direct result of this system, which supplements the photo distribution systems of state clearinghouses and private missing children's organizations. The Center is concerned about the potential for unnecessarily frightening children, and therefore we do not cooperate with programs that distribute photos through such media as milk cartons, candy wrappers, etc.

The Center has been actively involved in assisting federal law enforcement agencies' efforts to locate and recover missing children and to reduce the incidence of sexual exploitation. The Center works with the F.B.I. to publicize the existence of federal warrants for unlawful flight to avoid prosecution in cases of parental abduction. We also work with the U.S. Customs Service by receiving reports of child pornography on the hotline and passing them on to Customs Agents for investigation. This use of the hotline has no additional cost, and has led to 77 investigations relating to sexual exploitation of children. The Center also works with INTERPOL and

the Office of Citizen Consular Affairs of the State Department in efforts to recover children in international parental kidnapping cases.

The Center could be of more effective direct technical assistance in cases of missing children if it had ongoing access, under appropriate protections, to the wanted persons file in the NCIC; it frequently takes weeks to receive written documents through the mail that confirm the existence of a criminal warrant for parental kidnapping when access through the NCIC would provide confirmation within a few seconds. Similarly, access to state clearinghouse lists of cases of endangered missing and involuntary missing children will help focus additional technical assistance efforts.

COORDINATION OF PROGRAMS

The Center believes that coordination and cooperation among local law enforcement, missing children's organizations, and others is best accomplished at the state level through state clearinghouses on missing children. Thirty-nine jurisdictions now have state clearinghouses or registries (plus Canada); the Center is administering OJJDP-funded grants for 22 of the state clearinghouses to help them improve the accuracy of their data with respect to abducted children and endangered runaways and their analysis of efforts to recover them and services provided to them. This will allow them to sharpen their technical assistance needs from the Center. We provide technical assistance, publications, and training free of charge to all clearinghouses. Representatives of the clearinghouses have formed committees to identify issues that critically need technical assistance initiatives. We have begun coordination of a volunteer program in conjunction with the American Association of Retired Persons to provide volunteer assistance to the clearinghouses.

We recognize that many nonprofit organizations were involved in locating and recovering missing children and providing support to their families long before 1984. We have been active participants in their computer networking and have provided them with monthly updates of information relevant to missing children and nonprofit status. In addition to providing them technical assistance, and often receiving technical assistance from them, the Center provides training and publications; all of these are provided at no charge. Hotline operators and technical advisors make referrals to local nonprofit organizations that can provide the direct support services families require. To enhance coordination and improve technical assistance initiatives, we have formed a Nonprofit Organization Liaison Committee.

Such coordination is an ongoing task, due to the interstate and international nature of missing children and child sexual exploitation. As the remaining states develop clearinghouses, and as new nonprofit organizations come into existence, they will need assistance in their program development to take full advantage of the

more extensive experience of their colleagues. Grants to missing children's organizations under Section 406 of the Act have served as seed money that has enabled them to secure additional funding from the private sector, and thus continue their important direct services at the local level and their advocacy at the state, national and international levels. Reauthorization of the provisions that authorize these grants and technical assistance is thus imperative to maintain the effectiveness of many missing children's organizations.

DISSEMINATION OF INFORMATION

One of the most effective ways we have found to provide general and case-specific technical assistance is through widespread dissemination of practice-oriented publications. We have sent out more than 1.7 million free copies of the eight books and 11 brochures we have developed since 1984. We know that many law enforcement and social services agencies, missing children's organizations, and other agencies use them in their own activities.

The Center published Selected State Legislation in 1985, updated it with a supplement in 1986, and is planning a revised edition in 1988. This book identifies model legislation related to missing children, child sexual exploitation, reforms to protect children when they testify in court, licensing and criminal history information for those who work with children, and similar issues. Thousands of child advocates and legislators have used it as a guide in evaluating present or proposed laws to protect children. The Center's Legal Technical Assistance Department regularly provides information on specific federal legislative proposals to the clearinghouses, nonprofit organizations, and interested child advocates, and monitors the latest legislation in every state and the District of Columbia. The Center is frequently requested to evaluate state and federal legislative proposals and present testimony at appropriate hearings.

Information about model missing children's programs is provided by the Center's Program Specialist for State Clearinghouses and its Director of Nonprofit Relations.

Information dissemination is a critical ongoing task. Publications need updating to reflect advances in knowledge and changes in practice. State legislatures have been especially active in the area of missing children and child protection during the last three years. As funding for services to victims of crime increases through grants from such sources as the Victims of Crime Act and fees imposed on convicted criminals in state courts, more programs will be created and existing programs will continue to develop. Reauthorization of the national resource center and clearinghouse under the Missing Children's Assistance Act will help practitioners stay abreast of latest developments.

INDIRECT TECHNICAL ASSISTANCE

In addition to our extensive publications program, we have also provided broad-based technical assistance in the form of direct training programs. We have trained more than 22,000 criminal justice and juvenile justice personnel in 41 states and Canada in the investigative techniques and procedures targeted to missing and exploited children. We have assisted in the training of many more law enforcement professionals by developing a curriculum on these issues used in the Federal Law Enforcement Training Center of the U.S. Department of the Treasury. We have extensively participated in two national conferences on missing and exploited children and two national conferences on the sexual victimization of children. We have provided training at numerous state and regional conferences on missing and sexually exploited children. We are now actively involved in the more cost-effective approach to the need for technical assistance by training those who will conduct training of others.

One trend that we have noticed in the requests for technical assistance in the prevention, investigation, prosecution, and treatment of missing and sexually exploited child cases is that the requests involve problems that are more complex than those we received three years ago. We believe that this reflects the effectiveness of the publications we disseminate, the training we have provided, and the growing sophistication of the agencies and organizations involved in recovering missing children as the field has reached the apex of the learning curve, and there is a growing uniformity of understanding and practice. In part it also reflects the activity of state legislatures in addressing the problem of missing and exploited children through legislation that is, unfortunately, not uniform. We therefore anticipate a continuing need for centralized technical assistance.

In addition, the continuing turnover of personnel in law enforcement, social services, and other organizations, requires training and case-specific technical assistance to be provided on an ongoing basis through reauthorization of the Missing Children's Assistance Act.

FUTURE ISSUES

Mr. Chairman, much has been done by state legislatures, state and local governmental agencies, nonprofit organizations, and individuals to address the complex problem of missing and sexually exploited children. Many of these efforts began before the Missing Children's Assistance Act, but they would not have had the success they have had without the financial support of the Act. Much remains to be done:

1. Creation of state clearinghouses in the remaining 11 states;

2. Enactment of uniform state criminal custodial interference statutes to deter parental kidnapping, and to punish those who commit it and endanger their children;

3. Enactment of nationwide requirements for prompt registration

and investigation of missing child reports by local and state law enforcement agencies;

4. Promulgation of interstate agreements for the investigation of reports and the return of missing children;

5. Detailed research into the most effective ways of preventing runaways from being sexually exploited or engaging in delinquent behavior that increases the risk of their endangerment;

6. Financial assistance for parents who are forced to litigate child custody orders in different states or in other nations due to parental kidnapping;

7. Enactment of nationwide state legislation or regulations that will reduce the incidence of the abduction of babies from hospitals;

8. Enactment of nationwide state legislation that will assist in the recovery of missing children by requiring bureaus of vital statistics and schools to notify police when records of children known to be missing are requested;

9. Creation and ratification of new treaties and international agreements to prevent the parental abduction of children into foreign countries, and to effect the return of the child to his/her home nation; and

10. Replication of model programs throughout the nation--to name but a few.

To be successful, efforts to meet these new tasks in addition to the ones identified previously, will require federal financial support.

Mr. Chairman, on behalf of the state and local law enforcement agencies, missing children's clearinghouses, the nonprofit missing children's organizations, other concerned individuals, and especially the missing and recovered children of America, we thank the Congress for its leadership and support in enacting and funding the Missing Children's Assistance Act. We hope that Congress will once again show its concern for this truly national problem by reauthorizing the Missing Children's Assistance Act in H.R. 1801, and we thank you for this opportunity to speak before you.

1835 K Street, N.W. • Suite 700 • Washington, D.C. 20006
202/634-9821

NATIONAL CENTER P U B L I C A T I O N S

Since 1984 the National Center has developed and distributed more than 1,700,000 publications free of charge to professionals and the general public, and the response to them has been overwhelmingly positive.

The National Center also distributes a bulletin reporting on current Center activities, called at the Center, and sends regular information updates to nonprofit organizations and state clearinghouses. Following is a list and brief description of current National Center publications, available free of charge by writing the Publications Department of the National Center for Missing and Exploited Children.

BOOKS

Child Molesters: A Behavioral Analysis This book, produced in cooperation with the FBI Academy, is an investigative tool for law-enforcement officers handling cases of child sexual exploitation. The practitioner will learn valuable investigative strategies, the characteristics of a pedophile, and difficulties often encountered in these kinds of cases. Criminal justice professionals will benefit from the chapter on establishing probable cause through expertise when applying for search warrants in cases of child molestation. For the researcher, a list of additional reading and resources is found at the end of the text. First edition: February 1986. Second edition: April 1987.

Child Pornography and Prostitution: Background and Legal Analysis Attorneys, prosecutors, legislators, and students examining child sexual exploitation issues will find the thorough and up-to-date research in this book invaluable. Written in conjunction with the U.S. Department of Justice, the American Bar Association, and Covenant House, the book provides a history of legislation and court decisions related to child pornography and juvenile prostitution, analysis of the current state of the law, and innovative directions for reform. Also included are exhaustive notes to the text and two charts on relevant state laws. (Available to specialists only.) October 1987.

Children Traumatized in Sex Rings Developed in conjunction with the University of Pennsylvania School of Nursing, this handbook provides the health care practitioner with valuable guidelines in dealing with the child victim of sexual exploitation. Issues covered include an overview of child sexual abuse and exploitation, the physical and mental assessment of the child victim, interviewing techniques, and legal considerations. March 1988.

Interviewing Child Victims of Sexual Exploitation Researched and written by a command officer in the Louisville Division of Police, this text is useful to social service, law-enforcement, and legal professionals interviewing the young victims of sexual exploitation. Of special interest are instructions on using anatomically correct dolls and a list of specific questions to guide the interview effectively. February 1987.

Investigator's Guide to Missing Child Cases Now in its second edition, the Investigator's Guide is an aid to law-enforcement officers handling all types of missing child cases: runaways, throwaways, parental kidnappings, nonfamily abductions, and cases in which the circumstances of the disappearance are unknown. Also included in the book are "investigative checklists" of the activities recommended in every step of the investigation. A list of state clearinghouses and their telephone numbers is included on the inside back cover. First edition: June 1985. Second edition: October 1987.

Parental Kidnapping Produced in cooperation with the American Bar Association, Parental Kidnapping contains step-by-step information for parents who have experienced a family abduction, guiding them through the civil and criminal justice systems, explaining the laws that will help them, and suggesting prevention methods. The book also provides location strategies for law-enforcement officers investigating parental kidnapping and advice to attorneys, prosecutors, and family court judges handling these difficult cases. First edition: March 1985. Second edition: September 1985. Third edition: May 1988.

Selected State Legislation Published in 1985, Selected State Legislation has been used by thousands of child advocates and legislators throughout the country as a guide to the most effective state child protection laws. Areas of particular interest include legislation pertaining to the child victim/witness in the courtroom, licensing and criminal history information, court-appointed advocates, and parental kidnapping statutes. First edition: January 1985. Second edition: December 1988.

Youth at Risk Using material from research on runaways conducted by the University of Pennsylvania, Youth at Risk presents findings of interest to the social service practitioner handling runaway cases. In addition to examining the profiles of runaways and the patterns of runaway behavior, the books explores possible directions for system reform and prevention measures for parents. Further, the data reinforce the link between a missing child episode and the sexual exploitation of the child. September 1986.

BROCHURES

Child Protection This reassuring brochure for parents and families presents valuable safety tips to help prevent child abduction and sexual exploitation. Also included is a list of indicators of sexual abuse and a thought-provoking discussion of the "stranger danger" myth. The attractive four-color brochure is illustrated with drawings of a family. May 1985.

Child Protection Priorities in State Legislation This brochure outlines seven areas of legislation critical for an effective state code to protect children: 1) state clearinghouses, 2) education and prevention programs, 3) training for professionals, 4) child abuse reporting, 5) multidisciplinary child protection teams, 6) parental kidnapping laws, and 7) protecting the privacy of the child victim. Of special interest is a description of the legislative process and how interested persons can encourage state legislation. February 1986.

For Camp Counselors Specifically targeted to camp counselors and camp directors, this brochure details child abuse reporting responsibilities, the physical and behavioral signs of sexual abuse and exploitation, and actions to take if you suspect child sexual exploitation in your camp. May 1986.

Informational Brochure Our well-known "red brochure" provides a description of the services offered by the National Center for Missing and Exploited Children and an informative explanation of the problem. The brochure also contains an order form for National Center publications. February 1985.

THE "JUST IN CASE..." SERIES

The National Center for Missing and Exploited Children has developed a unique series of seven child protection brochures written for parents and families and presented in a highly readable and colorful format.

Just in Case...You Are Considering Family Separation Written for parents who fear a parental kidnapping in the event of a family separation, the brochure provides valuable guidelines on prevention techniques, suggested provisions for the custody decree, and steps to take if the child is kidnapped by the other parent. Also included is a missing child poster format for a parental kidnapping. July 1986.

Just in Case...You Are Dealing with Grief Following the Loss of a Child Parents who have experienced the loss of a child will learn a healthy approach to the grieving process and recommendations for ways to cope with the grief and guilt associated with the loss of a child. Social service professionals will benefit from the recommendations for dealing with bereaved families and the "ideas on wellness." January 1987.

Just in Case...You Are Using the Federal Parent Locator Service Written in cooperation with the U.S. Department of Health and Human Services, this brochure helps parents use the Federal Parent Locator Service of the Office of Child Support Enforcement to find the abductor and child in cases of parental kidnapping. February 1988.

Just in Case...You Need a Babysitter Of interest to all parents, this informative brochure gives recommendations on finding and hiring a babysitter, preparing your family, communicating your expectations of proper child care, and safety tips for the children while you are away. April 1986.

Just in Case...Your Child Is a Runaway Parents will gain important information about reporting a runaway child to the police and their rights under the Missing Children Act of 1982 regarding entry of the child's description into the FBI National Crime Information Center computer. Also included are steps to take when your child returns home and a missing child poster format for finding runaways. October 1985.

Just in Case...Your Child Is Missing This brochure includes five steps for parents to prepare in the event that their child becomes missing and actions to take if the child is missing. September 1985.

Just in Case...Your Child Is the Victim of Sexual Abuse or Exploitation Written in a calm, straightforward manner, this brochure gives parents specific instructions on what to do if they suspect that their child has been sexually abused or exploited. Steps include interacting with medical professionals, law-enforcement, and counselors. September 1985.

Mr. KILDEE. Thank you very much, Mr. Allen.

We'll go to our second witness and we'll come back with some questions for you. Mr. Leber.

Mr. LEBER. Thank you, Mr. Chairman.

STATEMENT OF WARD LEBER, PRESIDENT, INTERNATIONAL MISSING CHILDREN'S FOUNDATION, LA JOLLA, CA

Mr. LEBER. I appreciate the opportunity to testify before you today on behalf of myself, the International Missing Children's Foundation, and a recent organization who we are now very closely associated with, which is the American Foundation for Children and Youth.

I'd like to have my statement entered into the record and go over a few of the main points that I think are essential that we address for reauthorization of the Missing Children's Assistance Act.

Mr. KILDEE. Without objection.

Mr. LEBER. The very first one is to mention that the support of the act, and its continued support, has directly related to saving children's lives and to educating parents on ways to avoid a lot of the trauma that absolutely can be avoided through education. These educational processes have happened at the hands of the National Center, the non-profit organizations, the Department of Juvenile Justice. There are many different kinds of momentum that have been developed because of the support for this. So, I cannot underscore the importance of continuing that enough. There are many, many good programs that are going on currently around the country.

One of the main points that I want to try to address today is that there is limited funding. We do have to learn how to streamline the financial resources that are available.

One of the things that I'm going to be bringing up is that there are tremendous resources that have already been provided as a product of the effort that has been accomplished by many of the organizations. And the ability to utilize that information is not in place.

There are a tremendous number of model projects that have been done by many organizations throughout the United States. And the liaison program, and the way that we can actually identify and learn from the other organizations that have already done this, is probably going to be the very most important thing you can do in trying to decide funding priorities for specific projects that will assist in the recovery and the prevention of the missing children's crisis.

One of the things that I'd also like to bring to the foreground is that this momentum that's being conducted by the different missing children's organizations throughout the United States and by the National Center has brought us a board of directors with the American Foundation for Children and Youth that will be helping us to address a portion of the program that we are not really qualified to do. And I'm very excited to mention to you that you have some of the top people from Harvard, Yale, Cornell, Berkeley. And many of the people you probably know.

I've included a list of the board members that are now associated with this project. Some of them, however, are Dr. Blasingame, who's former head of the American Medical Association and Texas Medical Association, also former head of Blue Cross/Blue Shield in Texas. Dr. Barry Brazzelton who's a professor of pediatrics at Harvard and head of the child development unit at Children's Hospital in Boston. And Donald Fischer who's the C of the American Group Practice Associaton, who has 23,000 of some of the best doctors in the United States. And they have an extreme willingness to hear from model programs and ways that they can network in their communities to help with the programs. Also, Sheila Cameron, who's a professor of social policy planning at Columbia. Dr. Marion Langer, the director of the American Ortho-Psychiatric Association. Dr. Erving Phillips who's immediate past president of the American Academy of Child and Adolescent Psychiatry.

I won't read the entire board to you. But, the point I'd like to make is that some of the momentum that has come across because of the concern on behalf of Congress and a lot of the information that's gone out to the general public has brought a real need for some of the real professionals in the industry to say, how can we help?

So, Dr. Phillips is the president of the American Foundation for Children and Youth. He's an advisor of the IMCF's, and he had some hard questions for us as far as dealing with the first subject I want to talk about—which is some of the studies that need to be done and some of the care that we provide to the victims. Dr. Phillips asked me what kind of training that my foundation currently has in order to help the parents and the victims.

We interact with victims for a long period of time. You'll also notice in the testimony that, I think, the non-profit organizations throughout the United States have the greatest numbers and the longest periods of times to deal with those families. Those people are in our office all day long. They are the people who need to be attended to and they are a main focus of this issue. And I think one of the problems that even our organization has lost sight of is the fact that missing children, searching parents, abductions, recoveries, all these words are becoming a little bit too impersonal. We're not utilizing some of the resources that we can to learn from the problem that exists with that.

So in reference to this particular recommendation, I believe that there is much thought that needs to go into providing training programs specifically to help non-profit organizations in dealing with victims. When a person calls us on the telephone I can tell you that over the past three years my information on it has been experience. Experience only. It has not been through training. I try to be as compassionate as possible, and so do our advisors, so are those at the National Center, and I think any organization who is there to try to help the community. But, we are not well-trained on how to do this and we need to be.

One of the reasons why this is so important to us is one of our advisors, Joan Davies, who's also on the U.S. Attorney General's Advisory Board on Missing Children, and her husband Jim Davies, who's another advisor on Senator Pressley's Task Force on Children and Youth, had some interesting comments about the parents

that were sent to the second annual Conference for Missing and Exploited Children.

And one of the things that was fantastic about it is that they were all able to come together in a forum where they could share a lot of the grief and a lot of the common ground that they had.

The biggest problem, from talking to some of these parents—and I've only talked to perhaps a dozen of them, but I've gotten the general concern from the other parents that have also been victims of this—they felt that when they left the conference they had cut open the wounds of some very deep problems that have happened within their own families. And they left on an airplane, basically to use Joan Davies words, they were just bleeding and leaving with no help. Now these are the people that were out there trying to help locate their children. And yet we're bringing them back into a family unit sometimes and it's extremely difficult to assimilate with the new parents or with the legal guardian. And I don't think it's being addressed.

So, I would like to offer the resources of the American Foundation for Children and Youth. And they would like to have me on record as saying that you should review some of the survey's and the research that has been done there and try, as much as possible, to look towards this group and some other groups that would like to help the missing children's organizations become better qualified.

One of the suggestions that we've had is, in the recovery of missing children that we do not—in every case that it happens, they meet at the airport or we finally locate them, return them to their family. That's only part of the problem. What we really need to do is to try to assimilate what the current state of mental/emotional distress is of the child and of those parents before we bring them back into that mainstream. We need to talk to the parents.

One of the examples that I'm including in this is one of our more recent recoveries. It's a lady who worked for the postal service whose two and one-half-year-old child was abducted. And it took us nine months to locate that child, and she was scared to death that her two and one-half-year-old would not recognize her, and would not know her.

So, without putting too fine a point on this, these parents are going through traumatic mental and emotional distress that is not really being addressed by some of the funding priorities in the past. And it's now becoming recognized by a lot of the organizations, and I'd like you to support that as much as you possibly can.

Now in the second point that I would like to make, that deals directly with training. I have included in my statement a use of a resource which I think is fantastic. The National Center's put together some of the best literature on missing and exploited children from an educational standpoint that I've ever seen. We would like to take these resources which are the Investigators Guide to Missing Person's Cases, Interviewing Child Victims of Sexual Exploitation, Selective State Legislation, and Parental Kidnaping, to name a few, and develop those into a training and certification curriculum.

I believe that every non-profit organization that's out in the community should have the best possible training and certification so

that from a national level and a local level we can say that the folks who are picking up the phone on the local level are competent. They understand the laws, they understand the legislation, they understand the review process, they understand how to deal with law enforcement on a local basis.

And this certification program is not to be an endorsement of that organization, it's not to say that this organization has the good housekeeping seal. What it basically is designed to do is to take the information that's already known and to deliver that to the people who are working in the field and allow them to take a test, allow them to prove their competency on it. And my recommendations, specifically, on how to do that are included in my statement.

But I think the result of that is going to be that we can feel more comfortable that there are specific individuals that have proved their competency. So, I therefore believe that there needs to be a review committee that would assess the tests that are made by these individuals.

It has several components, one of them is a written component. The one that's included in my statement is just an example. It needs to be shown to many people in the law enforcement and educational programs to be fine tuned. I think, although it is a good program and it covers the main points that I'd like to see trained, I think it can also be improved by showing it to the National Center and to other organizations that are involved.

There is also a video component that would be going along with that so that there's video training on these different aspects.

All of this, as far as a funding need for it, is quite modest. The American Foundation for Children and Youth is interested in funding any of the requirements to do any of the video production and the original production and duplication of the training element itself.

To continue the development of training we're requesting that a consideration for a modest annual budget be set aside of approximately $50,000 that's earmarked towards that. It's not an extremely expensive program but I can tell you the effect in the community is going to be dramatic. You'll see a lot more qualified assistants a lot quicker and again the result is going to be the reduced suffering of the parents and children who we are serving.

Also along the lines of training, I'd like to give you a personal viewpoint of some of the training that's currently being given to non-profit organizations. One of those groups that is providing services is INPOM, which is the Institute for Non-Profit Organization Management. My viewpoint on them is changing a bit because I think that they have become better at the programs that they are providing to the non-profit organizations. But I do believe that the amount of money that they have spent in training non-profit organizations dealing with missing children, on issues that they were not previously knowledgeable about and basically gaining their education while they're trying to give us ours, is not what I'd call a good use of money.

I also believe that the curriculum that was originally designed and distributed, just about every syllable and every word is available in your local public library for free. Non-profit organizations could simply go down and check out any number of 40 or 50 differ-

ent books that deal with grant-writing proposals and the development of board of directors, etc. I don't feel that that is the most important kind of training for the non-profit organizations. I do think they are getting much better at it. In fact, I was talking to some of the groups that are currently in an INPOM meeting in Anaheim, California, yesterday and also today. And they are more pleased at the networking that's come to light for it. So, they do have better programs. But as far as the priority goes, I think that the training of the services they provide has got to come before the generalized one-size-fits-all methodology that's being utilized by INPOM.

There are a lot of organizations out there that have different organizational development. Some are very advanced and some of them aren't very advanced. The one problem that has not been addressed—which is my third, most important recommendation—is that the only way to find out what the non-profit organizations need and what the true assistance that has to be given is to ask them.

I am not a spokesperson for the non-profit organizations in the United States, at all. I can only give you a viewpoint from mine. I've certainly talked to many of them throughout the United States. But I think the only way that this committee is truly going to have a viewpoint of what non-profit organizations need, as far as assistance on Federal funding from the National Center, how to work with the National Center in a better way, is to send a survey. So, I would like to see that a survey be created that asks each one of the local non-profit organizations, how do you handle these problems? What do you expect from the National Center?

I can tell you a lot of different programs that I've looked to for the National Center that have been met. There are other programs I don't know about. For instance, the non-profit liaison committee—that's basically news to me. I think it's a great idea, but as far as a liaison between the non-profit organizations and the National Center, that's a tremendous idea. I don't know what stage of development it's at because I'm not so closely involved with this. But I do recommend that that kind of effort at the national level, and perhaps through the National Center, should really be supported.

The organizations in California that I deal mostly with would like to have one recommendation made, and this is, again, not to make me spokesman for them. But, they're very willing to give whatever information this committee or the National Center wants to have on the amount of caseloads that they deal with. They want to tell you, so that one group can actually amass this information and decide how we can be of most assistance.

One of the other observations that I'd like to make that deals with the financial aspects are that the American public currently are giving tremendous amounts of money for missing and exploited children. The modest budget of approximately $4 million that's available for the Missing Children's Assistance Act is not even a slight margin of what's represented as available funding throughout the United States.

I started a survey with the Attorney General's Offices, their Charitable Solicitation Division. And although I have only contacted about 17 States, currently, and started to get preliminary infor-

mation on different marketing companies that are raising money for missing children issues—the ones that are registered with the State—so far, our indications are there are more than $60 million that have been raised for the missing children's issue. So, $60 million is a lot more money than what is currently being made available through this act.

The purpose for me bringing this information to you is that the non-profit organizations do not really have a voice, a coordinated voice, in being able to utilize those funds. It's the for-profit marketing companies that are being able to do that. So, with the national distribution of missing children's pictures and a lot of the advertisement that's gone on, its become a marketing phenomenon throughout the United States.

It has given this issue a tremendous amount of name recognition. And because there is no way to attach that name recognition with the public's interest in supporting the good, local, non-profit organizations or national associations, it's an easy target for them. All they have to do is start up a program and say that we're helping missing and exploited children. And I must have been asked a thousand times, like every other non-profit organization, are you the guys who put pictures on milk cartons? They don't know. The public has no idea who it is that's doing what. Now in my community they may, and in certain communities where the Adam Walsh Child Resource Center is they may. But on a national basis there is approximately, thus far, about $60 million, which we've identified, that has been raised in the name of missing and exploited children. And approximately 10 to 15 percent of that is being utilized by the non-profit organizations.

We are going to conclude this study which is also—recommend in there for a closer liaison between several organizations to help us get better information on how much money is available. And I would like to see a coordinated effort through the use of the ADVO system and the 900 plus companies that the National Center has amassed and the several hundred companies that my foundation has together and the Adam Walsh Foundation has 500 or 600 companies. If you were to add them all up, there are so many thousands of companies that are willing to distribute pictures of missing children that if they were asked for some sort of financial assistance, i.e. $1,000 a year, to support a program for the next three years, we would have three times the budget that we currently have to work with.

So, I would like to express that we need to take a look at what's already available. And I put an example in the statement that said that there are three things important about that.

Number one, that we've identified that the public is willing to support the non-profit organizations dealing with missing children's issues. Number two, they don't really know which ones to support or how to go about doing that. And number three, life is a banquet and most poor, non-profit organizations are starving to death.

So, there are recommendations in there, including the National Better Business Bureau who will take calls on an 800 number and refer you to a good non-profit organization. So, if we utilize the ADVO system, if we utilize some of the advertisement efforts to let

people know that we don't just want to enlist your help in locating missing children, but here's a specific way to help legitimate organizations. Use those millions of pieces of advertisement that are currently going out there to let people support the National Center, to let them support the local non-profit organizations. It's a tremendous resource.

The last thing that I would like to discuss that deals with resources, and I mentioned this at the very beginning, because there is no networking between non-profit organizations—which is a collection of data, a collection of knowledge that's being worked on in the local basis, and an assimilation of that information, basically taking the programs that we've done, taking the programs that other people have done, putting it together in a nice little package and sending it back out for everybody's review—the result has been that people are out there, the non-profit organizations, raising money for resources that are available for free. They don't have to pay a cent for video productions for a lot of their programs.

For instance our organization, our founders Bill and Margaret Spencer at the very beginning of starting the foundation, had spent about $38,000 distributing a national public service announcement to support and advertise the 800 number for the National Center. We've always been interested in trying to support other organizations that are addressing the needs.

In addition to that we have started a resource access program which has given us enough physical assets to outfit just about every non-profit organization that's dealing with missing children's services with furniture, telephones, typewriters. There's a lot of equipment we have. We have a 10,000 square foot warehouse full of equipment that is coming in faster than we know where to put it.

The public is really interested in supporting these kinds of things. But I don't have a method to go out and tell all the other organizations, hey we've got some video production time you can use. We have desks and furniture. There are airlines that will work with us. There are hotels that will work with us. There are so many people that will work with us, and there's really no way to exchange that information.

I think there's enough said about that. I would just like to summarize with that by saying that we already have a lot of resources, and those resources were developed because of the interest of the Missing Children's Assistance Act, because of the development of a national and local effort. And now, what we really need to do, instead of looking at tremendous numbers of new programs, we need to find out what we already developed, because it's out there and that should be utilized.

As far as another resource that I'd like to address specifically is the networking between non-profit organizations that deals with the computer systems. One of our advisors is the Chief for the Telecommunications Software and New Products Division of Computer Science's Corporation. Many people are familiar with them. They are about a billion dollar corporation and they have offices in 52 countries and all over the United States. They are interested in helping with State clearinghouses. They are interested in giving their advice.

A lot of the State clearinghouses that have to come up with matching funds need to buy very expensive computers. There are mainframe computers sitting around in corporate America all over the United States. There are half a million dollar computers that are sitting there. But because, perhaps, I don't have a form to explain that to the people who are looking for them or they don't have a form to explain that to us, we can't find those important assets.

The other recommendation that's made consistent to that is that we believe that a for-profit association, people in the computer industry that sell computers, are interested in giving the non-profit organizations the hardware and software development in funding a program that will help us network. In other words, we need perhaps $600,000 to $800,000 in order to distribute, give each one of the NPO's a computer system and a software package so that, when they enter a case, it's a formalized case study. They can transmit the data to the National Center who can check with the National Crime Information Computer. And I agree wholeheartedly they should have a little bit more flexibility in looking into the NCIC system with that.

But, I think the result of having those computers out there is really going to tell you who's providing the service, what their needs are, how many cases there are. And it would be a wonderful scenario to be able to enter that document, have the computer tell me what the current State legislation is, what resources are available, etc.

So, I recommend that if the committee can find in its budget approximately $150,000 to put towards the development and the distribution of training, the International Missing Children's Foundation will come up with the company, the specific company, that will support giving us that $600,000 to $800,000 worth of hardware. This is streamlining some of the resources. It would be very difficult at this time to spend this kind of money directly from the Missing Children's Assistance Act, but there are for-profit companies that are willing to assist us.

Now, the last subject I would like to speak briefly about is public perception of the non-profit missing children's organization and missing children's organizations as a whole. Right now we have to depend on public perception, the same public that is giving $60 million-plus to different marketing organizations and doesn't know where the money goes.

We need to coordinate some responsible advertisement action. And through a lot of these organizations we've proved that industry will print pictures of missing children. They'll give us advertisement space.

I want to utilize a couple of the examples that are in my testimony. This is a billboard which has won the Los Angeles Art Director's Award for best billboard.

[Shows billboard pictures.]

Mr. LEBER. And it basically shows a picture of the—show you folks back here—it shows a picture of a funeral home, and it says runaways do find a home. There's another one that also won first place for best billboard which says runaways do become movie

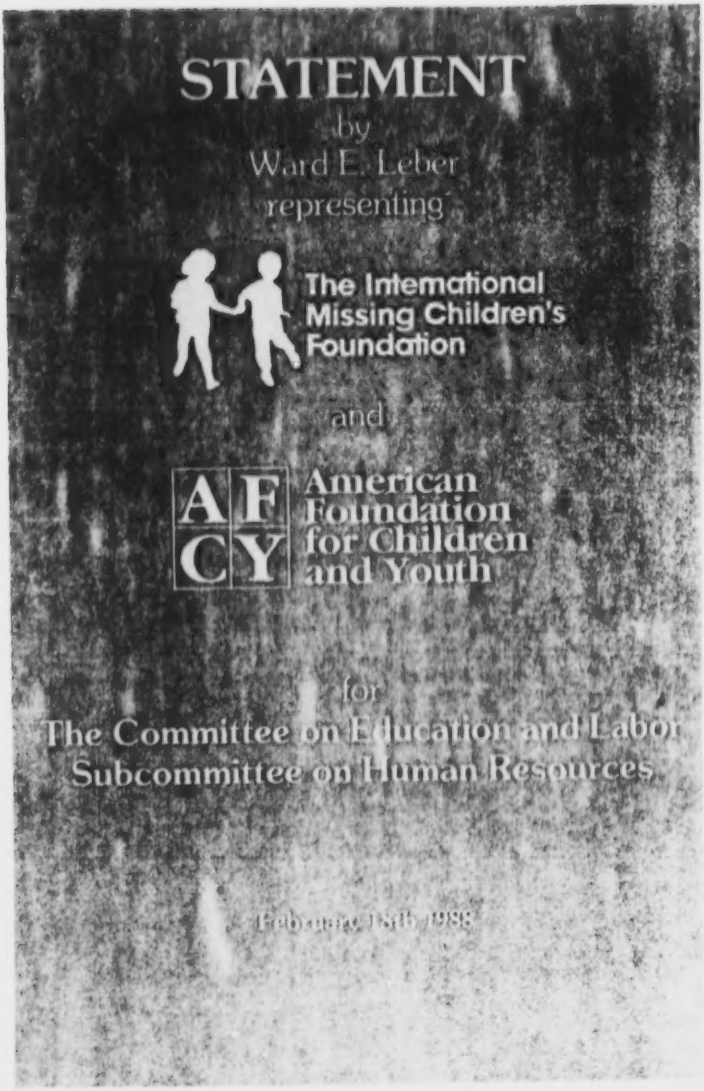
stars and it shows a picture of a person that's in an adult book store.

Now, the reason why this kind of advertisement is necessary for us to utilize is that the public has in many regards said, okay, missing children are not all kidnaped and murdered. They were all ready to believe that almost every one of them was kidnapped and murdered, and the people who are working with it know that that's not the truth. But, we cannot afford to let the apathy of the community misunderstand what happens to runaways. So, I do think that we need to start spending a more coordinated effort in letting the community know that, yes, you're right. They're runaways. And if you want to talk about what they're running away from and what they're running away to, the advertisement industry wants to do that for us.

There are other examples that are in my statement concerning national television shows, concerning the different television producers that are, right now, prime to helping us get that message across. They want to let us get the message across to the public that runaways are a problem, and that these other areas are a problem. So, I would like to suggest that the committee and a national and a local level effort be done to have coordinated and responsible ad copy and advertisement of this issue.

I appreciate you giving me a chance to speak here today on some of these subjects in providing services to the parents that really need us and to network a little bit closer and use our assets a little bit more frugally and perhaps better than we have in the past. I appreciate the opportunity, gentlemen.

[The prepared statement of Ward E. Leber follows:]



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THE INTERNATIONAL
MISSING CHILDREN'S
FOUNDATION

A PUBLIC NON-PROFIT ORGANIZATION

February 13, 1988

The Honorable Dale Kildee, Chairman,
Subcommittee on Human Resources
Washington, D.C. 20515

Dear Mr. Chairman and Subcommittee Members:

The following statement is designed to offer viable solutions for current problems facing missing children, their families, and those who provide services on the local and national level.

The recommendations presented herein are the product of experience, opinion, and concern for the many critical areas that must be improved for the good of everyone who is "counting on us."

The IMCF and the AFCY do not represent the views of all non-profit organizations (NPO). However, we do believe that each such NPO with responsibilities relating to missing children should be heard and their thoughts watched as heavily as those who are testifying before you today.

I am indeed honored to have this opportunity and I trust that the viewpoints contained herein will be helpful in assessing the current needs and priorities for the reauthorization of The Missing Children's Assistance Act.

Sincerely,

Ward E. Leber
Executive Director, IMCF

1411 Torrey Pines Road • La Jolla, California 92037 • (619) 456-6604

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Section 1.

The International Missing Children's Foundation

The International Missing Children's Foundation

Each year, hundreds of thousands of American children are reported missing. Many run away from homes where there is neglect, abuse, or intolerable circumstances. Some are virtually forced out of their homes by problem parents; still others are abducted.

The International Missing Children's Foundation has played a major role in helping locate such children from homes across the nation through a variety of services.

The purpose of the International Missing Children's Foundation is to educate children and their parents with vital information on the prevention of abuse, abduction, and exploitation. The Foundation also serves the community, free of charge, in areas of child location, legal and psychological assistance as well as being a direct service provider of educational seminars, programs, and video productions.

What Is A "Missing Child"?

In October of 1984, the United States Congress defined the term "missing child" to include any individual less than 18 years of age whose whereabouts are unknown to the child or young person's legal custodian if the circumstances indicate the child may have been abducted or the child is likely to be abused or sexually exploited.

Because all available evidence indicates that any child who is not in his or her home for any reason is a child at risk, the National Center considers any child whose whereabouts are not known to the parent, guardian, or legal custodian to be a missing child.

It is important, however, to understand the categories of missing children in order to realize the dangers faced by the individuals in each group. During the time they are away from home, they are vulnerable to becoming victims of crime and exploitation.

Runaway and Homeless Youth

The category accounting for the largest number of missing children is that of children who are voluntarily missing—often termed "runaways." Professionals experienced in working these cases know that this is an endangered group of children, all too often the victims of street crime and other mistreatment.

There is an attitude among the public that the runaway should not be considered "missing." The most frequently expressed feeling is one of resentment that time and money are being expended on this group. It is suggested that they are "off on a lark" or "strutting their independence" or "acting out to get their own way" with parents or other family members.

The truth belies the image of the willful, unappreciative son or daughter. Many children who leave home do so because they have at last decided they can no longer bear what may have been years of sexual abuse, physical mistreatment, emotional torment, or myriad other long-term family or school problems. Often, in the absence of these problems, the boy or girl who feels he or she has failed to "measure up" to parental expectations, or who has suffered some personal disappointment in school, social life, or among peer relations—or has gotten involved in some kind of trouble or difficulty—sees disappearing as the only escape from the pain of the situation or the trauma of diminished self-image.

The tragedy lies in the fact that the vast majority of voluntarily missing youngsters is unlikely to have truly escaped: wherever they eventually land, most are forced into life on the street to survive. That daily existence will in all probability mean prostitution for many of the females and males alike, possibly sex rings, pornography, drugs—an unintended return to many of the physical and emotional ills they sought to leave behind when they ran from home.

While it is true that most runaway children return home after a short or moderate period of time, they are, during their period of absence, endangered young persons whose situation deserves the concern of all those involved in child protection efforts. When left completely on their own, without the knowledge of or trust in protective services, it is not unusual for these two-fold victims—homeless and defenseless—to end up dead.

This group of vulnerable young persons also includes those "kicked out" of their homes or actually abandoned by parents and family members under a wide range of circumstances. Although these cases come to the attention of law enforcement or child protection authorities less frequently, these children must—as surely as runaways—be considered among the endangered missing.

Parentally Kidnapped Children

This category, accounting for the second largest number of missing children, is also questioned by the public. After all, it is concluded, while they may have been taken from the custodial parent, the children are with either the mother or father, so they cannot be in any danger.

Unfortunately, this conclusion is erroneous. Contrary to popular conception, parentally kidnapped children are rarely taken out of love for the child, but as an act of anger, defiance, or revenge against the custodial parent. The child is the pawn in an unacceptable or unresolved separation or its outcome.

In the worst instances, parentally kidnapped children are sexually and physically abused, and emotionally shattered when the abducting parent states that the custodial parent no longer loves or wants the child, is bad, is dead. The range of misinformation given the child about the custodial parent by the abducting parent can be devastating.

Even in those relatively few situations where love for and fear of separation from the child form the reason for the abduction, the child becomes a tragic victim of separation from the custodial parent and a stable home, life on the run that may include irregular school attendance or frequent change in schools, admonitions against forming friendships or talking with other children or adults, neglect, loneliness, and bewilderment.

Beginning to appear with more frequency in professional journals are articles reporting the psychological trauma indicated by children recovered from parental kidnappings. The verification of long-term harm resulting from this crime proves it to be one that places its often small, usually young victims among the endangered missing children.

Children Abducted By Unknown Individuals

This category, commonly called "stranger abductions," is the group of children everyone agrees is in danger and that there should be no limit to the degree of effort expended to find them.

All evidence indicates that within a matter of minutes, many of these children are victims of sexual assault, and that within hours they can be murdered.

For the long-term kidnapped child, probability is high that he or she is being sexually abused on a regular basis. Far rarer is the case of the child—particularly newborn or infant—who is taken by someone

who actually wants a child to love and raise or persons involved in selling children to those who wish children but may be unable to bear them.

The public perceives the stranger-abducted child as a child who is missing for a long period of time. Less understood is the actual situation: that the greater number of children taken by non-family members is lured or taken by force by the abductor, removed to a location—nearby or at some distance—where detection is unlikely, and sexually assaulted.

In the greater number of cases, the child is released, having been brutalized and significantly and probably permanently harmed.

On fewer occasions, the child is murdered following the sexual attack.

To families of children kidnapped, assualted and released, there is little consolation that their child's total period of abduction was brief. While they were spared the days, weeks, and months of searching for their missing child, the trauma suffered by the child will probably take years of counseling that may provide only minimal healing.

Families of a child murdered by the kidnapper suffer no less because the act of killing took place soon after a short-term abduction.

No one questions the fact that all children abducted by unknown individuals are in extreme danger.

About Our Staff

The IMCF is comprised of highly dedicated child advocates with extensive backgrounds in a wide variety of issues dealing with missing and exploited children. The IMCF maintains a full-time director for each department whose efforts are augmented by our volunteer supporters. Each IMCF staff member has passed a comprehensive training program on issues dealing with child location, laws, legislation, community resources, and child abuse issues. The information gathered for training purposes is compiled from the U.S. Department of Juvenile Justice and a myriad of law enforcement and governmental agencies. Qualified assistance is available 24 hours a day by calling our corporate headquarters.

IMCF Services

Resource Access Program The IMCF has developed and continuously expands a computerized base of children and youth services available nationwide. Callers who request information on programs dealing with missing children, support groups, private and governmental resources, legislation, etc. are given referrals, free of charge, for all areas of the nation. When requests are made for important information not available in our data base, it is immediately given

to our research department and added to the program.

Educational Videos and Literature The IMCF makes available a list of over 150 publications and 30 video programs dealing with a variety of children's issues. Copyrighted material not developed by the IMCF may require the cost of material to be covered.

Foundation Assistance The IMCF assists other non-profit organizations by donating video productions, materials, and office equipment.

Special Programs The IMCF is continuously developing and administering special child safety programs. A list of current programs may be obtained free of charge through our Client Resource Department.

Television The IMCF has produced over 25 different PSA's which feature pictures of missing children, help for runaways, child abuse information, child safety seminars and expos, as well as upcoming fundraising events. Our PSA's have been shown on over 600 television stations across the country. We have received an estimated $6,500,000 in free air time for the showing of approximately 7,000 PSA's with a combined viewing audience of approximately 210 million.*

Radio The IMCF has produced over 100 different radio PSA's to increase public awareness and information which have been aired approximately 1,000 times to a combined listening audience of approximately 75 million.*

Radio and Television Interviews Representatives from the Foundation have appeared on 15 television talk shows and 58 radio shows with combined audiences of over 3,375,000.

Video Production Special video programs on missing children, educational projects and child abuse have been viewed by an estimated audience of 100,000 which is projected to triple in 1988.

Public Speaking Engagements and Seminars IMCF representatives have lectured at schools, universities, civic organizations, corporations, unions, and churches to a combined audience of over 75,000.

Child Safety Brochures The IMCF has produced and disseminated over 150,000 child safety guides for parents and children nationwide.

Community Outreach Programs The IMCF has provided over 150 separate child safety programs in schools, at shopping centers, business and public parks where free information and fingerprinting have been provided to over 30,000 families.

Additional Public Information Through the use of posters, billboards, magazines, newspapers, and commercial vehicles the IMCF has publicized child safety issues to an estimated audience of over 15 million.

Translation The IMCF uses a variety of translators to assist with clients who speak only French, German, Japanese, Spanish, Chinese, or other foreign tongues.

Awards and Proclamations The IMCF has received over 150 written endorsements from Congressmen, Senators, law enforcement agencies, and clients. We have received a variety of child safety awards from local and national civic organizations. The IMCF has also received through Mayoral Proclamations four separate calendar periods in recognition of special programs with the U.S. Postal Service, San Diego State University, The American Legion, and city-wide educational programs.

*Note: The statistics used herein are based on the number of stations receiving IMCF PSA's, the number of times aired per station, and the estimated listening audiences as projected by A.C. Nielsen ratings and Arbitron ratings.

Corporate Officers, Advisors and Staff

Bill and Margaret Spencer, Founders

Ward E. Leber, President, Co-Founder

James R. Burks, Treasurer, Director of Computer Operations. Member of Senator Presley's Task Force on Children and Youth.

James Harvey, Vice President, Maior Gifts Chairperson.

Joyce Gillum, Secretary, Operations Manager.

Theodore Singley, Director of Financial Services.

Robert King, Director of Client Resources, IMCF

Lisa Brown Worthington, Director of Research, IMCF.

Joseph Guy Mairano, Advisor, IMCF Corporate Counsel.

Vicki Mizell, Director of Special Educational Programs.

Dr. Edgar B. Philips, Advisor, President of American Foundation for Children and Youth.

James Davies, Advisor, Member of Senator Presley's Task Force on Children and Youth.

Joan Davies, Advisor,

Carl Hagenau, Advisor, President of Computer Sciences Corporation.

Stephenie Quincie, Advisor, Vice President TransAmerica Corporation.

Leon Herrick, MBA, Advisor, President Health Practice Management.

Cathy Anderson, Advisor, President of Capitol Growth Ventures.

Robert K. Goldman, Advisor, President of Goldman Art Corporation.

Anna Gillum, Volunteer Coordinator, IMCF

SECTION 2

NON-PROFIT ORGANIZATION ASSISTNACE PROGRAM

The International Missing Children's Foundation

and

AF CY

American Foundation for Children and Youth

for

The Committee on Education and Labor
Subcommittee on Human Resources

Section 2

Non-Profit Organization Assistance Program

Statement

There are many areas of opportunity which we must explore in our efforts to be more effective for the current, past, and future victims associated with missing and exploited children. The theory of establishing a national clearinghouse was and still is a good and powerful suggestion toward this goal. Another such "good idea" is the establishment of training programs to assist NPO's with hopes of making them more organized and financially stable through proper management and organizational advice. Naturally, these good intentions have brought us the National Center for Missing and Exploited Children (NC MEC) and the Institute for Non-Profit Organization Management (INPOM).

The development of effective assistance to NPO's has brought even greater meaning over the past few years due to our mutual realizations that the NPO's collectively have the greatest number of opportunities for the longest period of time (per case) to provide service for their communities. Therefore, it is logical to assume that a federal assistance program could have the largest possible impact on this problem by funding efforts which provide such urgently needed assistance.

The actual result of these good ideas and good intentions can be found by reviewing the IMCF's forth coming study of NPO's which will, among other things, review the total dollars spent on federally funded resources and their individual and cumulative effects on the issue. This will allow us to review the training, resources and general assistance realized by each NPO in our study.

Our preliminary findings indicate that several programs have displayed overwhelming failure to effectively utilize federal resources for assistance to NPO's. The result of such failure is the lack of increased services provided to the community and ultimately the prolonged agony that victim children and parents endure.

More federal funding is not the answer to this problem. By reviewing the following seven items and their respective recommendations, clear identification can be made of the vital elements that are truly "of assistance", and it should be easily recognized that these programs do not require additional federal funding to operate and that they can be developed without any increase to the level of assistance that is currently being provided.

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A. TRAINING AND CERTIFICATION

Each qualified public non-profit organization that provides services for missing children related issues should be given the opportunity to utilize a training program that covers the methods, procedures, laws, and legislation for the recovery of missing children.

Each organization should receive written materials to study the issue along with a video presentation of such subject matter and application for certification.

When the individuals who study these materials are prepared to prove their knowledge and competency of this curriculum, they will be given a written test. This test will be administered and scored by a certification committee and the results will be given on a pass or fail basis only.

Applicants must score 90% or higher to pass and will be given a written statement as to the questions missed, the correct answers, and additional opportunities to pass will be given only twice to the same individual applicant.

Students who pass will receive a certificate of completion to show that they understand the necessary curriculum to be effective and knowledgeable in the handling of services relating to missing children.

This certification must be updated every year and does not endorse or certify the organization for which the applicant works or volunteers.

Five separate test formats for the same curriculum will be developed; however; the video taped program will be generic and updated when and if necessary. Furthermore, the handling of cases is one of many subjects where training will be offered. Other subject matters will include the handling of victims, responsible public speaking, etc.

The administration of the test may be performed by many third party individuals or volunteers, i.e., law enforcement, schools, civic organizations, etc. The IMCF has enclosed a sample of some of the materials to be included in the certification process. Our organization will be completing the first certification program in mid-March and offering same for review and recommendations from qualified individuals in education and testing.

Input will be sought from law enforcement, the district attorney's office, and other such agencies which will be of assistance in "fine tuning" the material. After this is complete we will begin scripting and production of the video taped program.

Organizations who have a minimum of three certified applicants will be eligible to receive the computer access capabilities outlined in Item 5 of this section.

Another vital area of training that must be developed for the NPO's concerns the handling of searching parents. America's legitimate service providers for the location of missing children have the greatest number of opportunities and the longest periods of interaction with victims.

We need to take every measure possible to minimize the trauma and suffering that victim parents endure both during and after the search for their children. Sufficient data is already available through a wide variety of professional studies which can teach us how to effectively handle victims.

The intent of this particular segment of training is not to establish credentials or certification for the people who encounter victims, it is purely to provide a video and printed program which gives helpful information that allows us to understand and interact with people experiencing emotional and psychological distress.

Finally, our training programs will establish a speakers brochure which includes qualified volunteers in the closest proximity of each local NPO. Speakers will include law enforcement officers, attorneys, psychologists and others who would be willing to visit their local NPO and lecture their staff and volunteers on a myriad of issues relating to victims, law enforcement, legal proceedings etc.

This is one of the simplest cost free resources which can support the NPO's and foster credibility and contacts within their own community.

SUMMARY

After researching dozens of certification programs in the field of family and youth services, we have clearly identified that this type of program is tremendously cost effective in providing assistance to NPO's and the areas in which they serve. Furthermore,

implementation of this program will increase the location and service capabilities of each NPO and ultimately foster the computerized vehicle that can account for the greatest progress ever initiated. The training and certification will serve as a model project which can be developed into certification programs in many other vital areas.

Recommendation

R1. Initiate legislation which provides $50,000 per year for a Certification Program to be developed and maintained by qualified public non-profit agencies providing missing children's related services.

R2. Work with the IMCF and AFCY on making our current resources available for implementation. For example, the IMCF will cover costs for development and video production. The proposed budget would provide for the design printing, duplication of video tapes, implementation, and hard costs for staff time, communication, etc.

ITEM B. MARKETING ANAYSIS TEAM

The International Missing Children's Foundation

and

American Foundation for Children and Youth

for

The Committee on Education and Labor
Subcommittee on Human Resources

B. Marketing Analysis Team M.A.T.

Statement

Most NPO's are drastically under-funded due to a lack of knowledge and resources. Luckily, most of these resources are readily available, while proper understanding on how to obtain them is not.

After a preliminary survey of marketing companies, non-profit organizations, and State Attorney General's offices (charitable solicitation division) our survey indicates that over $60,000,000 has been donated by the American public in support of this issue.

The sad truth of this matter is that the NPO's have only utilized an estimated 10-15% of those monies with the remainder of these funds going to for-profit marketing companies who exploit the issue and good works provided by legitimate NPO's.

This survey may be tremendously under-exaggerated due to the fact that most such marketing companies do not register with the correct governmental agencies and therefore, some experts feel that as much as $150,000,000 may have been donated by the uninformed and big hearted-American public. It becomes obvious that three truths concerning public support need marketing research.

1. The public is ready, willing, and able to fund missing children related programs.

2. The NPO's are struggling financially.

3. "LIFE IS A BANQUET AND MOST POOR NPO'S ARE STARVING TO DEATH"

The solution is absolutely in our grasp if the following recommendations are implemented:

Research-Through the use of a special marketing analysis team, (MAT), we can analyze the methods and results obtained by such marketing companies which raise funds through coupon books, direct mail, telemarketing, special events, and various other proven methods of fundraising.

This team will be comprised of nationally recognized experts in sales and marketing who will utilize a variety of methods including the use of interns in marketing, public relations, and management that are

available free of charge at universities throughout the United States. Furthermore, the analysis should be done on a state by state basis. From the information received by MAT we will be able to develop a specific plan which offers the most effective methods of fundraising to each NPO.

Without professional analysis of the market placement, capabilities, and potentials available in each state, it is drastically less effective to offer generalized (or generic fundraising advice) that is currently being offered by INPOM and other such training programs.

Evidence of this observation can be found in the lack of significant fundraising increases that are experienced by organizations who receive generic fundraising advice. It is unnecessary to launch fundraising campaigns when there is no scientific method that supports the viability of that campaign especially in light of the fact that hundreds of successful campaigns have already been launched and may easily be replicated.

The MAT study will analyze information on successful projects implemented throughout the United States and then offer the NPO's step-by-step instructions for their duplication.

Fundraising advice will not be offered without first analyzing the viability of that project as it relates to the specific capacity, capability, and resources of the NPO.

Other vital functions of MAT will be to deliver current information on all regulations and licensing requirements necessary to perform fundraising activities. MAT will also offer a due diligence check-list for hiring such companies or professional fund-raisers.

Very close attention should be made when awarding grant monies to companies who wish to assist NPO's through their training and consultation.

INPOM is a good company comprised of qualified and knowledgeable staff. They may be the best in their industry at providing certain types of training. However, a few of the problems with INPOM's program for Missing Children's Groups are as follows:

1. Their curriculum is based on the "one size fits all" theory. The use of such generic fundraising seminars is perhaps educational but is not of assistance to the NPO.

2. No one should attempt to train individuals in a field they know very little about; and using federal monies to get their education while they attempt to give us ours, is not what we consider money well spent.

3. Unless an analysis is made of the specific NPO and the market size, segments, and history, They should not correct or advise the NPO in anyway, shape, or form.

4. INPOM's curriculum is not geared to any particular level of organizational sophistication and, therefore, they spend the majority of their time teaching NPO's material which is either too basic or too sophisticated.

5. The generic information which they are teaching is available in book stores, public libraries, and through many other free and equally effective methods.

The IMCF has already gathered tremendous information on programs which will allow each NPO to advance financially and to obtain urgently needed physical assets for the performance of their public service. As one small example we have included for your review an "Asset Acquisition Program" which has in six months resulted in the acquisition of enough office equipment and furnishings to outfit over 70 NPO's with staffs as large as six each. Our 1988 projection for the total value of donated assets is over $5,000,000.

Study of Private Sector Support

Overview The IMCF has conducted a preliminary study of the revenues donated by individuals, corporations, and others for the purpose of assisting the missing children's cause. Our findings thus far indicate that tens of millions of dollars have been donated by the public over the past year. The results of our study will be the first national understanding of available funds through private sector support. The report will analyze the following:

1. Solicitation conducted in 1985, 86, and 87.

2. Total funds raised in each state each year.

3. Total cost of fundraising.

4. All sources and marketing approaches used.

5. The companies who have conducted fundraising campaigns.

6. The total estimated number of individual, group, and corporate donors.

7. Donor demographics.

8. Total amount used for charitable purposes.

9. Overview of non-profit agencies raising money and their uses of funds.

This study will be the basis of one approach to assist NPO's by giving a realistic overview of support available in their market areas and the most effective ways of obtaining them.

Additional purposes will be to reduce the need for federal funding of this issue over the next two years. The study will require absolutely no financial assistance from government as all expenses will be paid by the American Foundation for Children and Youth and, the International Missing Children's Foundation.

The findings of this study will be given to all known NPO's, the National Center, The Department of Juvenile Justice, INPOM, the Attorney General's Office for each state, the Advisory Board on Missing Children and all assisting state and national organizations.

The data will be obtained through a variety of qualified volunteers including interns from various universities in every state. Information will be collected and compared from the following sources:

1. Internal Revenue Service
2. Attorney General's Offices
3. Local charitable and consumer protection agencies
4. Non-profit organizations
5. News media clipping services and historians
6. Survey of a major cross section of potential donors both corporate and individual.

In each state we will contact with at least 1,000 residents and 500 businesses. The survey will be designed by experts in survey scripting and data analysis with an emphasis on questions including:

* Do you know the name of an organization which provides services for missing children?

* Have you ever donated money to any organization and if so how much? If not, would you ever consider such a donation?

* Have you ever volunteered for a missing children's organization. If not, would you ever consider volunteering.

* If you were to donate money, how would you prioritize the use of your money if you had these four priorities to choose from: Education, Location, General operations, i.e. Salaries, phone bills etc., or Research into the causes and consequences of the missing child and family.

Summary and Recommendations

The MAT program is vital for the strategic planning for every agency with responsibilities related to missing children. The MAT findings will also provide legitimate NPO's with local lists of interested potential donors and volunteers. MAT will also uncover an accurate representation of public funding priorities.

In order to implement this program we recommend the following:

1. Enter into a cooperative agreement with the IMCF which simply states that you would like us to review and approve a comprehensive survey plan.

2. Offer a liaison from the Subcomittee on Human Resources who will cooperate with the IMCF's MAT Program.

3. Offer modest financial assistance to IMCF for the MAT project, (no cost for survey) If currently implemented, a budget of under $150,000 can result in a program to offer millions of dollars to NPO's.

4. Utilize the funding that is allocated to ISPCM for this project.

5. Get results by making this allocation on a performance basis, i.e., The IMCF will agree to provide, as a requirement of this allocation, a minimum acquisition of $500,000 in vital assets for the NPO's in the form of equipment, video productions, or cash, resulting from our recommendations to the NPO's.

Item C. Shared Resources

The International Missing Children's Foundation

and

American Foundation for Children and Youth

for

The Committee on Education and Labor
Subcommittee on Human Resources

C. Shared Resources

Statement

The National Center has developed hundreds of resources in business, government, advertisement, education, and information. The National Center is established as a "clearing house" for missing and exploited children, and, therefore, it is logical to assume that the acquisition of information by the National Center is indeed in focus with one of their purposes. The impetus for initiating, reviewing, or obtaining research and resource materials is to increase one's understanding and become more capable through such knowledge to make progress in those areas.

The use of such resources will grow at least 100 fold if they are also offered to the NPO's on a monthly basis. Each day thousands of people, both staff and volunteers, of local non-profit groups and related organizations are making decisions, formulating plans of action, and generating their own resources, programs, and services.

There has been no monthly or quarterly plan to exchange pertinent information between the NPO's on a national basis. Because of this neglect, we have all suffered the following losses:

1. Developing programs that already exist instead of reviewing existing programs and improving upon them.

2. Raising money for resources that are available for free.

3. Acting and interacting on a wide spectrum of situations without the benefit of reviewing known facts, and helpful studies.

4. Wasting tremendous human resources in gathering information that is already available.

Item D. Business Anslysis

The International
Missing Children's
Foundation

and

American
Foundation
for Children
and Youth

for

The Committee on Education and Labor
Subcommittee on Human Resources

D. **Business Analysis**

Statement

After reviewing the "MAT" program described in Item 2, it should be evident that NPO's are unique in so many ways that the "one size fits all" method of training is not of real assistance. Therefore, we must take a personal approach to the NPO's by accessing the funding needs and resources of each organization.

The establishment of cash flow analysis and financial review programs will offer the NPO realistic recommendations from business experts with specific recommendations for their financial future.

Many organizations already have extremely professional financial management, however, a second opinion and the opportunity to share helpful information is of value to everyone.

This project, together with the MAT program will give improved developmental assistance in management and funding. It will also give us vital information as to the real needs and condition of NPO's as a whole.

The prospect of a small portion of the budget accomplishing lasting results is the most positive and viable solution to gaining strength, organization, and stability for missing children's organizations. Without hands-on business assistance, we have already lost many of the wonderful people that truly cared about this issue.

E. Computer Access

Statement

This particular area is one of the most critical elements that must be considered for effecting a powerful and positive change. The information contained in "training and certification" is essential to the methodology used in providing computers systems to non-profit organizations.

Vital efforts to coordinate information, exchange resources, increase capabilities and experience maximum results in obtaining accurate survey information can be accomplished by computerizing the NPO's who have passed the certification process. In fact, the cost for delaying or abstaining from this effort will be demonstratively higher than the cost of its implementation.

The IMCF currently works with an advisory committee which is comprised of several national experts in the computer science industry who are ready, willing, and able to provide their knowledge for implementation of this program. Among those experts are Carl Hagenaue, president of the world's largest computer facility management company with hundreds of offices in the United States and in 52 other countries. James R. Burks, (Computer Sciences Corporation), communication software specialist, and chief computer science officer for CSC's, new products division, and James Davies, computer training and software consultant. Both Mr. Davies and Mr. Burks are members of Senator Presley's Task Force on Children and Youth.

The basic computer access package for certified NPO's will include compatible systems and software with monitor, printer, modem, installation and training. Major benefits of this program are as follows:

1. Standardization and collection of missing children cases.

2. Instant receipt and transmittal of information.

3. Financial management.

4. Instant access to millions of pertinent facts to assist in all areas of services.

5. Instant updates in all areas of legislation, funding, and resources.

6. Reduced costs for printing, travelling, research, communication, and location of missing children.

All of the above valued benefits make computerization essential to the development and administration, of services available for missing children.

An agreement for the use of computers by NPO's will require careful planning and considerable human resources. Some of the proposed requirements will be that all case information be transmitted to the National Center for assessment and interface with NCIC and law enforcement agencies. This will allow the National Center to collect, study, and assist in the location of all reported cases of missing children through a well planned standard operating procedure.

The security systems and specialized software will be the subject of a cooperative effort between the National Center, IMCF, DOJ, and other necessary agencies.

Imagine if you will the following scenario: A case is called in to a computerized, well trained, and certified NPO. The NPO enters the report into their system and the information is transmitted to the National Center to verify and confirm NCIC listing. The system instantly prints out the location response checklist and forms. The system then checks and prints the laws, legislation, resources and contacts for every jurisdiction where the search may lead. A listing of available attorneys, investigators, and support programs are issued along with instruction for the searching parent(s). Case management form(s) are distributed to the searching parent(s) along with a weekly or monthly search report.

This gives maximum location potential to the parent as well as peace of mind. For the parents to know what efforts are being conducted and that every possible resource is being used will greatly reduce the anxiety and emotional impact that is always a horrible reality for all searching parents.

The studies on the actual number of cases, time elapsed during the search, funding, and resources used in the location will be just a few of the giant steps towards maximizing efforts and minimizing costs.

By reviewing the findings of the federally funded study, entitled "The Meat Rack Report", and other available research into sexual exploitation, it is quite obvious that organized groups involved in child abduction, pornography, and pedophilia, use computerization as one of many tools in the organized approach to abduct, prostitute, murder, and exploit children.

I respectfully suggest that our inability to network for the safety and protection of those same children through NPO operated systems is one of our most negligent oversights. The IMCF is willing to develop a comprehensive study for the implementation of this project.

A key resource which we intend to provide through cooperative agreements with the private sector are the acquisition of computers, software, training and installation without government funding.

Summary

Simply stated, if the IMCF provides proof that approximately $800,000 worth of hard assets and resources can be made available through our private sector associates, The Federal Government agrees to fund the necessary financial assistance that will result in the establishment, design, and implementation of this computer access program.

Recommendation

1. Provide a letter of intent to the IMCF which outlines the willingness to fund the research and development plan for the Computer Access Project on a budget of $150,000 if the IMCF demonstrates the following:

A. The acquisition of 100 computer systems including the necessary hardware and software.

B. The satisfactory proof of our ability to design the necessary custom software, training and installation of all systems.

C. A comprehensive plan for the use, capabilities, and support for the overall project.

Section 3

The National Center for Missing and Exploited Children

The International Missing Children's Foundation

and

American Foundation for Children and Youth

for

The Committee on Education and Labor
Subcommittee on Human Resources

Section 3. The National Center for Missing and Exploited Children.

Statement

A national center for missing and exploited children is an essential element in obtaining a powerful and well-organized approach to the many children and families that desperately need our help. The National Center currently possesses every possible potential for progress and effective programs that can result in the implementation and stability of many aspects concerning missing children. They have established tremendous networks in law enforcement, government, private sector, and education.

The Center's literature and resource materials are among the best information that has ever been created on this issue. In fact, the IMCF believes that the National Center's talent and capability in the development of such resource manuals has indirectly assisted in a variety of positive results including the location of missing children, and the education of NPO's.

The National Center has also coordinated efforts in legislation, state clearinghouses, and conferences that are to be commended, supported, and continued. Furthermore the operation of the toll-free hot line is a powerful resource which is staffed by dedicated men and women who deserve the gratitude, recognition and support of everyone who is involved with this issue.

With this statement in mind, we will now review the other areas that must be addressed so that their resources and interaction with NPO's becomes more effective for all concerned. First of all, the National can maximize the utilization of resources and information by providing them on a monthly basis to all legitimate NPO's. The fact that programs, studies, and resources are not shared with the thousand plus staff members and volunteers who are struggling to help parents and children through local NPO's is a direct contradiction of their philosophy of "being of assistance".

With regard to the National Center's involvement in providing services and assistance to NPO's, we must understand that the National Center is also a Non-Profit Organization with their own needs for development and fundraising. This complicates the center's perceived role due to the fact that you cannot help others if

you have to concentrate on helping yourself. There have been many questions raised by NPO's in previous testimony that continue to cause problems for the issue as a whole. It is important to remember that these problems are not caused by the National Center and, Further, we must consider how the NPO's can assist the National Center. The solution, in our opinion, requires the following steps to be taken:

1. Identify the financial needs of the National Center and the same for NPO's.

2. Identify the programs that are effective and ineffective from both sides.

3. Identify the specific needs that the NPO's would like in the way of assistance from the National Center and then study the viability of fulfillment of those needs by the National Center.

The final disbursement and review of this study should be administered by a member (s) of the Subcommittee on Human Resources. If this suggestion is acted upon the committee members will be able to weigh and assess the actual needs and priority of funding from NOP's throughout the United States, in addition to the testimonies of a handful of experts with varying and contrastic interests. The IMCF is not a "spokesperson" for all NPO's and we feel that their voices must be weighed with the same importance as those who are asked to personally testify before this Committee.

My testimony will be reviewed by all NPO's that we can identify as being of interest in the agreement or disagreement of our views. The IMCF is looking forward to identifying what the majority of NPO spokespersons think, and whenever possible acting upon those recommendations. As for our personal recommendations, we express the following view points:

4. All resources that can be shared with individuals, and organizations should be collected and dissimiated to NPO's on a monthly basis.

5. NCMFC should create a specific outline as to the services they intend to provide and how others can acess with these services.

6. NCMEC should provide their data and research with qualified non-law enforcement agencies (NPO).

7. NCMEC should recall that they are not a law enforcement agency and create operating procedures and standards that reflect closer compliances to their purposes for inception.

8. NCMEC should reduce overhead by using non-toll free numbers on a test basis. We believe that the number of calls for information, crank calls, runaways, etc. may prove to be of more cost than benefit.

Summary

The National Center has unique qualities that should be continued and perhaps expanded, having a clearer definition of the types and methods of services must be created; and sharing of certain types of information and resources is a must. Furthermore, a national NPO survey is an absolute must in the consideration of assistance, funding priorities, and services to be provided. This study may very well prove that areas of "burden" and areas of "assistance" can be more effectively handled by organizations other than the National Center.

Recommendation

1. Immediately assist in the creation and conclusions made available through an NPO survey.

2. Create a survey for law enforcement to give their recommendations on the use of the National Center.

3. Consider ideas of opinion & thoughts of survey from the summary.

Section 4

Public P ɔrception and Advertisement

The International
Missing Children's
Foundation

and

American
Found ti on
for Children
a id Youth

for

The Committee on Education and Labor
Committee on Human Resources

Section 4. PUBLIC PERCEPTION AND ADVERTISEMENT

I would like to utilize this segment of my testimony to offer an overview of the "Missing Children's Cause" and to review the reasons and realities for the public's ever changing perception. Please pay careful attention to the fact that the missing children issue has gotten its name, its reputation, financial support and current status at the hands of public opinion.

With this in mind, it becomes vital to take a brief look at how the cause became number one in national name recognition and how we can learn from this social psychological phenomenon. The phrase "missing children" issue was born out of a categorization concerning children that has existed for years. In order for the public to embrace an issue, they must be given "catch words" or phrases that combine several elements into one preceived throught. As an example of how the public is capable and suseptible to such "capsulized overviews" we can review our own perceptions of the following: "Catch Words", missing children, runaways, child abuse, the homeless, Yuppies, non-profit organizations, movie stars, criminals, etc.

The note worthy purpose for this exercise is to show that without regard for independent or specific review, our society will make decisions and formulate conclusions on topics that individually vary from night to day. Furthermore, the pubic will usually make these decisions and form opinions through the means of advertisement and marketing. The largest purveyor of public opinion is the media. T.V. and radio reports, newspaper articles, and pictures of missing children are all part of the vehicles which form the public's perception of this or any other issue.

The importance of this rudimentary overview is to prove that we are facing a critical crossroad which can offer opportunities for success or create apathy and failure.

When the missing children's issue started on its upsurge it did so by combining runaways, non-custodial abductions, "throwaway" and criminal abductions into one bite size phrase which has formed a current public opinion.

At the beginning, the public believed that all missing children were taken by strangers which led to

fingerprinting, mass media, widespread public concern, and organizations both for-profit and non-profit; each in their own way intending to take action. Then along comes chapter two of our story called "statistics on actual numbers of

missing children in dispute." Please remember that the public has a right to question how many are "actually" missing children because they have formed their opinions of what a missing child is and are usually not flexible to change.

Chapter 3. "The media has another field day". After every possible form of media, both printed and electronic, has gotten enough mileage out of dangers that face missing children, many of them decide to promote the perception that missing children are not really "missing" and the National Center and NPO's alike may be trying to dupe the public.

Chapter 4. "Wides read apathy, loss of credibility and focus". Now we finally get to test the public's support. In order for the public to continue their perceived notion, they are forced to make a choice.....are runaways, non-custodial abductions, and homeless children worth my renewed concern, or am I discontent to find out that they weren't kidnapped and murdered and, therefore, I will pay less attention.

Naturally, the same uninformed reporters and their audiences go back on the soap box to proclaim that the problem of missing children holds very little if any water.

Chapter 5. "Waivering public opinion". This brings us up-to-date with the following generalized public perceptions and their estimated level of opinion. Group 1. 30% believe missing children are mostly non-custodial abductions and feel less moved by the importance of the cause.

Group 2. 65% believe missing children are a real problem in this country but really don't understand what they are. Group 3. 5% Generally understands the problems and dimensions of the missing children issue.

Group 4. 5% don't know, and don't care.

Obviously these estimates are important to study more carefully which can be accomplished through the NIC Program.

The point of this overview is to establish the realities and resources which weigh heavily in our favor or opposition, and to learn how to control them. This may be acomplished by reviewing the following observations and recommendations.

Observation A. The NPO's, the National Center, etc., do not control public opinion and that most people have become desensitized to the current format of advertisement of missing children's pictures.

Recommendation: First study the current levels of public opinion and create a new awareness program that responsibly regains public opinion. Change the format of missing children's pictures to show pictures of children who are found, advertisements concerning the issues (categories of missing children) and a clear message that the public needs to become more informed and that donations are needed

Observation B. We have millions of opportunities to get our message across to the public and yet we are not asking for support; which inturn, makes the public susceptible to making donations that are largely unappreciated by the programs that need that support.

Recommendation: Always advertise the need to become informed and to donate in every possible poster, product, and network which displays photos of missing children. Utilize the ADVO system and other networks to request that the public support their local charity by calling the Better Business Bureau for referral.

Summary

The organizations providing services for missing children must analyze the public's perception of the issue and learn how to take advantage of our resources for guiding the public's response to their needs.

If this is not immediately accomplished we may loose our current opportunities and be stuck with an ever increasing number of misinformed and apathetic viewpoints. The seriousness of this subject can not be under estimated. The N.C.'s are providing vital community services which require millions of dollars in public support. Unless we want to see these groups become nonexistant and bugging for federal assistance, we had better put our full human resources behind this critical reality.

Section 5
Psychological Studies and After Care

February 10, 1988

Mr. Ward Leber
Executive Director, IMCF
1111 Torrey Pines Road
La Jolla, CA 92037

Dear Ward,

I couldn't reach you by phone just now and, as I'm leaving for New York, I wanted to up-date you on AFCY program plans with our Professional Advisory Board members in case you wanted the information in connection with the testimony you will be giving in Washington.

As you know, we will focus heavily on preventive intervention efforts in situations where children are at high risk of developing mental disturbances.

Irv Philips at Langley Porter, and David Shaffer, at Columbia, feel that the children of psychiatrically ill parents are high priority, as are children with early learning problems. Eli Bower, at Berkeley, has a very interesting possibility in this latter area. Berry Brazelton, at Harvard, feels that pre-school intervention as early as possible, is a key area with emphasis on family dynamics, and I'll be meeting with him and his program chief in Boston on the 2nd. Reg Lourie in Washington and Sally Province at Yale feel that infancy is a most critical and promising point for action, and that training programs to enable larger numbers of people in the various other professions involved with children and families represent the prime need.

I'll tell you more about this when I see you in Washington next Monday.

Best Regards,

Dr. Edgar B. Philips

EBP/jg

fully implemented—prevention. Prevention transformed pediatrics, and it was the impetus for the inception of child psychiatry. Tarjan (1959), in his presidential address to the American Association of Mental Deficiency; Eisenberg (1962), at the American Orthopsychiatric presidential session; and others have called for a new beginning starting with prevention. We will not develop inoculants or fluorides for mental health, but we can have a comprehensive program of prevention through research and early intervention. In describing programs for prevention, let me start with a clinical example.

Case of David C.

David came from a lower-middle-class family. His father, an aloof and troubled man, held two jobs and had little time for his son. His mother, an extremely disturbed, ambitious, and aggressive woman, expected too much from him.

There is not much history from David's early years. When he started school at the age of 5, he stuttered severely. His school advised speech therapy, but his mother disregarded the advice.

He was an aberrant among his schoolmates. Until the fourth or fifth grade, he wore, at his mother's direction short pants and Little Lord Fauntleroy outfits—much out of place in the tough working-class neighborhood where he lived. His mother maligned him because she expected him home from school and allowed little time for play in the neighborhood. His classmates maligned him when he did play because of his "sissy" behavior.

His mother had him take Spanish, violin, piano, and ballet. In one form of punishment, she had him practice the violin late into the night as she stood over him with a stick. Marks around his head, face, body, and legs attest to frequent beatings. At age 9, David was referred to protective services because of emotional and physical abuse. Although investigation confirmed all allegations, no proceedings against the family were taken, and no recommendation to separate the child from his mother was made.

The abuse intensified when he became a school problem—hyperactive, anxious, and disruptive. His school, neighborhood, protective, and mental health agencies alike recognized that David was mentally ill. He was transferred from one public school to another. His parents threatened to send him away and continued to punish him. No matter which way he turned, no matter what he did, David could not satisfy his mother. He ran away frequently. He was referred for psychiatric treatment repeatedly, but none was provided.

Juvenile authorities described David at age 15 as having a lack of conscience. . . . He lies easily and has a rich fantasy life. . . . Although he is quite inhibited sexually, his fantasy life has a tendency to place him in a domineering position over many women." The psychiatrist felt that David was seriously ill and required custodial care and treatment.

When he was 16 years old, David ran away from home because he feared his mother. He went into a neighboring county, broke into a number of cabins, and stole a gun and other items, which he tried to sell. A policeman was called, and David was remanded to Juvenile Court, where he had been known for several years. He was sent to Napa State Hospital and placed in the juvenile ward, a crowded, locked facility with little available treatment. He ran away frequently but was returned by the police. After 6 months, the hospital concluded it could provide little for him. He was returned home, with psychiatric treatment mandated as a condition of his discharge. No treatment was undertaken. He began to molest young children in his neighborhood.

He spent 2 years in Youth Authority, 9 in a federal prison for assault and rape, and 9 more in a state prison for a series of assaults, kidnapping, and rape. He was a model prisoner (Los Angeles County Superior Court, 1984).

He became the alleged "Trailside Killer," raping and hideously killing eight victims. After his trial, which cost the state of California 3 million dollars, David was found guilty and sentenced to the gas chamber. But who is guilty? David? His family? His schools, the juvenile justice and mental health systems, social welfare agencies, legislators, or a host of others?

There were the usual excuses. There were no facilities to treat David; there was no treatment time available. He was not a suitable candidate for psychotherapy; his mother was too recalcitrant. Agencies passed him one to another without coordination or follow-up, each expecting the other to assume responsibility but knowing that no one would.

Who failed David? Who bears the responsibility as society exacts its retribution when the pellet drops in the gas chamber? Would it have made a difference if he had been treated when his behavior signaled danger? I do not pretend that we can predict endings to such beginnings, but we certainly can predict a need for treatment. From the time he was a 5-year-old stutterer, David's life reflects the missed opportunities for early intervention and prevention.

As we plan for prevention, we would all agree that research is fundamental; a complete understanding of the child—his inner world, his joys and fears—from infancy through adolescence. We must understand the developmental factors of how children control their

Poway News Chieftain

January 21, 1988

Woman runs spectrum of emotions while searching for child

UNITED — After 226 days of waiting and wondering, Pam Chiramonte was reunited with her 2-year-old son Robert on Jan. 7. The boy had been taken by his father to North Carolina. (Staff photo by Vince Bucci)

By MARK LARABEE

Over the past year, Pam Chiaramonte has felt every emotion possible, from fear to anger to frustration.

She's still feeling emotional, but the sentiments are ones of happiness and joy. On Jan. 7 her son Robert was returned to her after 226 days of wondering and waiting.

Chiaramonte works for the U.S. Postal Service as a mail carrier. Last May 26 she arrived home from work to find her boyfriend Robert, her son Robert Jr., 2, and many of her possessions missing.

She said she didn't know what to do, especially since she legally had to wait three days to begin to file the paperwork to get her son back. It took two weeks to get all the papers filed before state and national organizations could start looking for the child.

"Our relationship was going through a phase," she said of her boyfriend of five years and two children. "I guess both of us couldn't handle the situation."

Once she figured out what had happened, she said she was afraid and angry. She had no idea where Robert had taken her son. Matters were complicated because the boy has a heart condition that requires daily medicine.

"I really thought he was doing it to frighten me, maybe jolt the relationship, something like that," she said. "I went from mad to sad to the point of pity and feeling sorry for myself.

"I thought it was impossible that this was happening to me."

The only thing she could do was call Robert's family and leave messages for him to call. She said there was some animosity between her and the family, and she wondered if he ever received the message.

"I cried and begged to that family to please have him give me a call," she said. "I never did get the call."

Chiaramonte enlisted the help of the International Missing Children's Foundation, which put out fliers with Robert Jr.'s photograph. The group was responsible for finally finding the child.

During the time her son was gone, she still had to care for her other son Jamaine, 6. She was also working, and said it was hard to keep her composure on the job.

"The job is always pressing time wise," she said. "Having that on your mind, it's very easy not to do your job correctly."

She constantly called agencies that were helping her, all the time not knowing what they were doing and how the search for young Robert was going.

"I was in constant contact with everybody...I begged them," she said. "There was many a night I cried and prayed to the Lord, when is this going to end?"

Her prayers were answered earlier this month. She was at work when she received the call that her son had been found.

"I didn't think it was for real," she said. "I just couldn't believe that he was found."

Little Robert had been found at his grandmother's house in Onslow County, N.C. Robert Sr. had left hime there in the care of his sister while he looked for work. The boy was in good health, but had not taken his medicine the entire time.

Chiaramonte left work an went home to make arrangements for the trip to Onslow. The International Missing Children's Foundation made the reservations and paid for the trip. She could not say enough good things about the organization.

Onslow County Sheriff's Deputies had taken Young Robert to the county's Department of Social Services. She was frightened that he would not recognize her. When she first saw him he was playing with a jack-in-the-box toy.

"I said Robby, this is mommy. He gave me a big hug and I started to cry," she said. "He backed up and said, 'Mommy, please don't cry.' I knew right then it was going to be O.K."

Things are getting back to normal for Chiaramonte and her two children, although she says she is a bit overprotective of them.

"I'm glad I was able to get him back at a young age," she said. "I think he'll remember what happened to a degree, but I think he'll be able to place it behind him."

Pam and her lawyers are trying to serve Robert Sr. papers to appear in court. She said she wants to be granted full custody of both children.

Mr. KILDEE. Thank you, Mr. Leber.

Mr. Meredith, do you have any comments or do you want to respond to questions?

Mr. MEREDITH. My only comment, Mr. Chairman, is to thank you and your colleagues on the record, again, for all you've done, for your support, for your availability, for your understanding. And the same appreciation directed to the very able staff on both majority and minority side. We are really very grateful for the relationships.

Mr. KILDEE. Thank you very much. You've helped build that relationship, Mr. Meredith.

I just found out the President's budget just settled here on Capitol Hill a few minutes ago. Again, he zeros out the money for juvenile justice for the deinstitutionalization and the separation of juveniles and adults. You know, there were 23 States not in compliance on jail removal at the beginning of this present fiscal year; 23 States. That's a large number of States not in compliance, and yet the President asked for zero dollars for jail removal. That offends me.

For the Missing Children's Assistance Act, he does ask for the same $4 million as he asked for last year. I'd like to have seen, you know, some increase there, but at least he didn't zero that part out. So, we have the same base as we had last year. I think it should have been increased, but that's the budget as it arrived here this morning.

Let me ask you some questions here. Mr. Leber mentioned the sum of $150,000 to help networking between the public non-profit agencies. What ways can the Federal law, the Federal Government, and this committee encourage better networking between the public non-profit agencies that serve these children?

Mr. ALLEN. I think the law does that. I think you have sent that message clearly that we need to network, and frankly we think that important beginnings have been made. We certainly would not represent that there is the kind of system in place that needs to be in. I think it needs to be noted that there are a lot of non-profit organizations out there, that many times when a child disappears or there's a particularly riveting case, one of the obvious responses is to create an organization and pursue it.

In our testimony we delineate some of the approaches that the Center is trying to take and that includes many of the very issues that Mr. Leber is talking about. I think we've made progress in computer networking. We have a standing committee made up of just a few of the organizations to help us do a better job of networking. We have dedicated staff to work with them. We hear from the organizations regularly regarding fund-raising and what can we do and how can we share information. Our hotline refers cases to the volunteer organizations on a regular basis. So, we're committed. We want to do more. Obviously, the seed money for the non-profit organizations is very important, and we would support whatever Congress could do to enhance that relationship.

Mr. KILDEE. Your hotline, at certain hours of the day, does not have a human being responding. During what hours do you have a recording answer the calls?

Mr. ALLEN. We operate—let me go to my notes for information—but it's 16 hours a day Monday through Friday and 8 hours per day on a weekend. And that's basically a product of two things. One, a product of experience in terms of call volume, and secondly, it's a product of the level of funding. Our board has looked closely at the issue of whether it should be 24 hours a day, 7 days a week. And frankly, it costs a lot of money to take the next step. Our perception is that we are not losing cases, we are capturing all of the information. There is quick follow-through. And as you will note from the data, we average 155 calls per weekday and 43 calls per weekend day. So, that's—the hours have been set based on experience and volume.

Bud, do you have anything to add to that?

Mr. MEREDITH. Not a thing. We have our technical director here, Mr. Chairman. He'll—I think can give any further feel for this that you want. It's a function of activity and cost effectiveness, as Mr. Allen has described it.

Mr. KILDEE. There are two factors. The time you do have the person responding, that's the time when you're more likely to get the greater number of calls, and also the cost of manning the phone 24 hours a day, 7 days a week is a factor. I would like to see what we can do to remove that second factor there, because that's something that perhaps we can have greater control over.

Now, I'm fairly emotionally stable as are most Members of Congress. [Laughter.]

But, when I dial a number and get a recording, I get very frustrated and very often tempted to leave a message that might get the attention of the person. I can recall the day where you called the rectory and got a person. Now you call the rectory, and the priest has some kind of recording device. It is rather frustrating. I've sometimes thought of leaving some Latin expressions on that machine. [Laughter.]

Mr. ALLEN. But, we would welcome additional assistance to accomplish that and it certainly, it's a viewpoint that our board and staff shares with you. But, as Mr. Meredith indicates, it's a function of both workload and cost effectiveness.

Mr. KILDEE. I can see how maybe at 3:30 in the morning when loneliness sets in and frustration sets in and a person remembers that there is a hotline. They feel very lonely, maybe bottomed out, decide to call that hotline. Getting a recording could cut off maybe that one chance of reconnection with what should be connected with. So, I would like to look into that.

I can understand the fiscal limitations and that's our responsibility to try to address ourselves too, on that. I'll come back to some questions and I'll—after Mr. Tauke here.

Mr. TAUKE. Thank you, Mr. Chairman.

First, let me ask just a very general question. A few years ago the missing children's issue seemed to be one that was very popular, a national cause if you will. Now, it would be at least my observation that it is another one of those national causes that has slipped off the focus of national attention. Is that healthy? Because we were maybe doing some things wrong. Or is that a cause for concern?

Mr. ALLEN. I think it's healthy and let me quibble a little bit with what has, in fact, occurred. I think there has been a maturing of the issue, and an increasing understanding of the true nature and dimension and dynamic of the issue.

I know it's dangerous to site studies without having it in front of you to validate, but within the last year there have been—Advertising Age, I recall, ran a piece asking people what is the issue for which you would be most willing to be taxed? And three or four years after the original emotion and visibility of this issue, programs to support missing children are still number one on the list. So, I think there is a tremendous reservoir of public concern that remains. The nature of the media, the nature of the attention has changed. And frankly, we think that's healthy. There's still a substantial amount of media, but it seems to be less emotional, more substantive media.

And from the standpoint of the Center itself, I think the Center has grown up and has matured and has reached a point in which we're operating like a business. We have maximized efficiency, we've made changes, adjustments. When we came into place three and one-half years ago we literally started up with a crush of caseload demands and training demands, without a hotline in place, and I think that the way it has been managed has been truly remarkable.

But, my assessment would be that it's still a concern, but that basically the slightly lower profile has enabled us to do a better job of networking with all of the child advocacy community, networking with the runaway community, coordinating with all of those out there.

And the final thing I would say is, I know the Congress was told several years ago that we faced a situation in which there was a virtual absence of knowledge and sophistication and systems and network to deal with the problem of missing children. That's changed. Laws are changing all over the country. Law enforcement agencies have been trained. There are specialists out there. There are people who understand the issue. Communities are talking to each other. States are sharing information so that, when a kid disappears in one State and shows up in another State, now somebody knows that there's a clearinghouse in that State—if it's one of the 39 States—and that there's a National Center that can help. So, I think that there is a maturity and an increased sophistication. But, we've only just begun the process.

Mr. KILDEE. Mr. Leber.

Mr. LEBER. Well, I agree with some of those points. But I would like particularly to believe that without the ability to affect and direct public opinion of the cause—which we seek funding and need new programs—we're in a very, very dangerous position and in allowing the impetus of the public to go by the wayside. I think it's a mistake to have the general public believe, incorrectly, where the problem is if that's not where the problem is.

What I think we need to do is to, as quickly as possible, educate the public on what the segments are that deal with missing children. Because, I think, if they are given factual information and they find out what happens with runaways, with non-custodial abductions, with criminal abductions—we have some of the pieces of

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advertisement that are suggestion there, and they deal with the criminal abductions. And it says, we don't know where missing children are, but we know where they're found. And its got a picture of a grave. But the ad copy for the program specifically says, thank God, basically this is the smallest percentage. This is not the largest percentage. It goes on to talk about other pieces about runaways.

See, the media has controlled this issue. The National Center, the non-profit organizations have not controlled public opinion of this issue. As soon as the media went wild in getting a lot of attention for it there was legislation passed, there were organizations that started, there was public opinion that was generated. Many things happened. Then, when there was a closer analysis of the real statistics, instead of the public saying, in many cases, well, okay, most of them weren't murdered, but they're getting sexually exploited on the streets, they're getting abused, they're becoming addicted to drugs, they're falling in the hands of pedophiles. That's not what the public said, because that's not what the media was there to serve up to them. What they were there to give them is, they're not murdered, they're just runaways and just non-custodial abductions.

I think that's dangerous for our funding issues. And I think it's difficult for the non-profit organizations, certainly, to survive in a community that does not depend on Federal dollars but depends on community support. How's the community to support that effort if they become apathetic because they're uneducated as to how big of a problem these different issues are?

So, I would say that absolutely the answer to how to deal with this is—or one recommendation at least—is outlined in my statement. It's called a marketing analysis team. We've got a group of very good people that will network with the universities in every State in the union that will use their interns in market research, their segments of the——

Mr. TAUKE. I'll want to follow up on that later, but if you'll allow me to——

Mr. LEBER. Okay.

Mr. TAUKE [continuing]. Let me focus just a little bit on the National Center. You do a lot of wonderful things, but there are some troublesome things in my mind that perhaps we can explore a little bit.

At first, it seems to me that your attitude and this subcommittee's attitude, toward runaways is substantially different. This subcommittee, I think, has pretty consistently taken the view that runaways are not criminals and the first line of attack should not be law enforcement. My understanding of the philosophy of the Center is that basically your approach is that, well, you've got a runaway, get the law enforcement people active, get the person returned home to the family, to the parents. Is my perception wrong?

Mr. ALLEN. I would not share that perception, and in fact, the approach of the Center toward the whole array of problems is that the child or youth is basically viewed as victim. And that's the orientation. Certainly, a first step is to get the child home. It's one of the reasons why one of the first calls that our hotline operator makes is to the National Runaway Switchboard when it is a run-

away problem, and one of the reasons why we attempt to network so closely with the runaway organizations.

Let me add that there is a somewhat different constituency. And one of the reasons why I think we've made such headway on the runaway issue is it's the child, it's the youth who tends to call the runaway hotline. It's the parent, or the law enforcement agency that tends to call us. So, there is a networking or a coordination there that certainly can accomplish both purposes. There is no question that our philosophy is to do whatever we can to get the kid home, but in full cooperation and coordination with the runaway organizations.

The second point I would want to make is that I mentioned specifically that we are particularly concerned about those runaways under 14 and where there is evidence or indication of the potential of sexual exploitation or victimization.

Mr. TAUKE. Allow me to interrupt, if I may. Suppose that you get a call from a parent who has a youth who you suspect is a runaway. What do you do?

Mr. ALLEN. Let me get our Deputy Director for Technical Assistance to respond to that. John, do you want to? This is John Rabun who's over the technical assistance area, and probably can speak best.

Mr. RABUN. Mr. Tauke, would you repeat the question?

Mr. TAUKE. Suppose that you receive a call on your hotline today from a parent who says, I've got a 14-year-old who has run away from home. How do you respond to that? What happens?

Mr. RABUN. Well, there would be a number of things that would happen and some which obviously would have to depend on the specifics that the parent gives you over the phone. But, in general, they would be referred to the National Runaway Switchboard, both those kinds of efforts and the other two national runaway hotlines. If there's any presenting information about sexual abuse or physical abuse in the family they would be referred to those organizations.

We would ask the parent if they have contacted the local police agency or in some cases the State police agency. In most cases now, the answer is yes. When we started, the answer clearly was no. Fine, if they've done that, great. Usually parents this day and time will ask us could you please query NCIC to see if my child has been put on the missing persons file of that computer. We do so while they are on the line and inform them, simply, yes or no. If our staff feels like the child was inappropriately loaded—I don't mean by that a judgment call, but there wasn't significant information on there for someone to help find the child—then it's given immediately to the technical staff who start working with the law enforcement agency who entered that report and who are working the case.

I do think your point is well taken. We do come from a point of view that when children are missing from what we have to presume, as a clearinghouse, is lawful, caring adult supervision—we usually use the term parent for that, or at least parent surrogate—that there's a concern out there for the criminal justice and juvenile justice community. That is not to say that we do not understand full well that there's also heavy duty social service concerns.

If your question's intended to indicate that we believe all kids ought to willy nilly go back to their home, I don't think we're that naive. Our people have come out of 10 to 20 years, each, experience working in child protective services. I'd be the last one to sit here and tell you that I think every child, just because they happen to be on the NCIC, ought to return to their own family.

On the other hand, I think we have to start with that presumption and believe and try to work to get the criminal justice system and the child protective services system to work together for the best interest of that child. It simply does not serve the best interests of any child to stay out there as a runaway because someone is making an allegation, true or false, that daddy is an abuser, mommy is an abuser, my parents don't take care of me. Fine. We've got a child protective services system to deal with that. When children call us or parents call us and give us presenting information that there is "eh," a problem at home, then we, in turn, call the child protective services agency like any other person. We're not immune from reporting statutes. So, it's not a black/white situation.

The presumption is we need law enforcement out there to help us find children. Law enforcement rarely returns children to their homes. If you find a kid in another State, the officer in the finding State is not going to be the person who returns the child home. It's going to be a social services person who, hopefully, has been trained in proper care and duty to the kids and will find out whether the kid's been abused, neglected, needy, or abandoned. It's not a perfect world out there but the stopgaps, I think, are in place.

Mr. TAUKE. There is, I find, in my own mind a lot of confusion about the national hotlines, duplication of services, who does what. I have to say I don't think I am quite as understanding as the chairman. I don't know how in the world you can have a hotline for which the stated purpose in your testimony is to receive reports of locations of missing children and only have it running part-time. I also note that the National Switchboard receives a lot more calls than you do.

I'm not sure which I should pursue first. I guess (a) Is there duplication? and (b) What is the purpose of your hotline that makes it different from those others that are in existence? And why is it that that purpose can be served with a part-time hotline?

Mr. RABUN. Well, Mr. Tauke, part of the difference, I suspect, in our hotline is, as Congress directed the Office of Juvenile Justice and Delinquency Prevention to provide certain things. One of those things, and it wasn't called a hotline it was simply called a toll-free telephone service in the statute, was no guidance given in terms of hours per day and what have you. But your point is none-the-less well taken.

I, too, share the reservation. How do you—you're given x amount of dollars, how do you maximize those number of dollars? Mr. Allen's already spoken to that issue, so I won't belabor it.

Our technical staff has always felt, as has our Federal grant manager, that we probably should have a 24-hour toll-free telephone system in place. To do that at this day and time would cost a minimum of $125,000 a year additional to what goes into that serv-

ice. I don't quibble with that at all. I think it's a needed type of a thing, but it is, after all, costly.

I think to answer the second part of your question——

Mr. TAUKE. Just a second. Let's just dwell on that for a minute. Maybe my understanding is wrong, but I understand you spend a whole lot more on your hotline than the National Switchboard does on theirs, but that they handle more calls. They're open all the time. Why is it that yours is so expensive to operate and theirs isn't?

Mr. RABUN. One of the answers would have to do with the staffing patterns. We use paid professional staff to answer all of the calls unless there's a special, like an Adam movie, or something like that. The National Runaway Switchboard, at least historically, has used a heavy component of volunteers.

Another difference which may speak to a piece of your question is—Mr. Allen's already indicated—that we take most of our calls from the professional service community and from parents. Very few of our calls generate from children themselves, whereas, in the National Runaway Switchboard, the vast majority of their calls are generated by children themselves. It's a difference in focus and, I think, a necessary difference in focus.

I think the staff of the National Runaway Swithchboard and our hotline staff, at this point, are working very closely together. And there's sort of a common agreement that, yes, there is some duplication, but only duplication in the sense that the same parent or the same kid might call both hotlines. But there is not duplication in terms of the focus of services.

Mr. TAUKE. Okay. Define for me, if you will, what the focus is of your service versus the focus of the National Switchboard and what the difference is between the two.

Mr. RABUN. I'm not all that apt at defining what the National Runaway Switchboard does. I have a pretty decent idea. I know pretty well what we do.

Our focus is—under the statute—to take sitings of missing children and relay those calls to official agencies, and secondly, to provide technical assistance to parents, agencies, not-for-profit organizations, and citizens in terms of prevention programs, in terms of finding missing children, and in terms of children who might be sexually exploited, etc., etc. Those are fairly well-defined in the statute. That's what we have stayed, fairly righteously, glued to.

The National Runaway Switchboard, on the other hand, is set-up for one thing, to provide counseling over the phones to children who are calling, who need a different type of service.

Mr. TAUKE. I think that's fairly clear and probably justified. But now, if the first purpose which you listed is to take reports of sitings, if I cite somebody at 10:00 on Saturday night, I presume I have to wait until sometime during the day on Sunday for that report to be received.

Mr. RABUN. Not necessarily. There's a voice mail system so the person can leave the report in full on the phone recording systems with the right kind of prompting. I know where you're going with that and I think I agree with your philosophy.

Mr. ALLEN. We don't disagree.

Mr. RABUN. There's certainly no substitute for a real live trained person on the end of the line. I just can't argue that. But, it's not like you get nothing. Albeit it's fairly sterile.

Mr. TAUKE. I'm not necessarily pointing fingers, I'm just trying to get a handle on what's happening. I've got more questions, but I will yield at this time.

Mr. KILDEE. Okay. I have some more too, but I'm going to turn it over to Mr. Visclosky first.

Mr. VISCLOSKY. Mr. Allen, in your written testimony you talk about future issues, and the whole question of funding has been touched on a number of times today. In reviewing your list, there are a number of State and cooperative issues that you touch on. Since we are talking about the reauthorization, would you want to see any changes made in the underlying Federal statue as far as the authority granted?

Mr. ALLEN. Basically, no. I think our hope here today is that there is no retreat from the mandate, that there is reauthorization, that there's a continuation of level of support. The recommendations that we make, there are obviously many of them, involve State statutes. We have a legal technical services division that is working on a variety of issues, local, State, national, and international. And it would—we see these as issue areas which are logical extensions of the mandate of the legislation and which we can begin to get into following reauthorization.

Mr. VISCLOSKY. So, as far as the underlying reauthorization, you wouldn't be looking for any specific changes.

Mr. ALLEN. No, sir.

Mr. VISCLOSKY. Mr. Leber, would you have any comment?

Mr. LEBER. Yes. There are a lot of efforts that should be supported and continued. There are also other efforts that I may not be so specifically apt to identify without surveying some of the available programs through other organizations that I may not be aware of. But I think that, in general, there are areas of burden, financial burden, and areas of—well, basically they can be handled by other elements. I think that there are some areas that you may find out that can really lighten the load of some of the funding that's being spent. The question of the toll-free hotline perhaps is one of those kinds of areas. Careful consideration has to be done of that.

As far as coordinating a national effort, I think legislation has to be very, very, very well supported—that a national effort has to continue as far as those things go.

There are some areas that I think funding priorities have that were not addressed yet, need to be met, and they are some of the most positive things that have happened in the issue. One of them is the Conference for Missing and Exploited Children. I think that that should be provided for, specifically.

Apparently one of our advisors had called and talked with the National Center and also with the rest of our committee at the Attorney General's Advisory Board. And I searched, and there doesn't seem to be enough money out there for it. And I think that has brought together some of the best productivity in the industry. So, one of the changes I would specifically want to see happen is that a national conference continue every single year and be provided for.

Mr. VISCLOSKY. Mr. Chairman, I would yield back to my emotionally stable senior colleagues at this time. [Laughter.]

Mr. KILDEE. I'm glad to have that on the record. [Laughter.]

Where is your number, which you operate *x* number of hours a day, so many days a week, actually located? Here in Washington? Over on K Street?

Mr. ALLEN. Yes, sir.

Mr. KILDEE. Okay. I would like to explore the possibility of getting additional funding so that could be run 24 hours a day, 7 days a week.

You know, I put an extremely high priority upon human dignity and human life and I try to treat all the children that this committee has responsibility over in the same way as I would want my own children to be treated. That's a pretty good rule of thumb. I have three teenagers and I really try to think, how would I want my own children to be treated. I know you more commonly get calls from adults and maybe some agencies at your number there, but I'm sure that you get calls from young people too. I would want those who call to not have that recording there, because this could be a very crucial call.

I would like to explore the possibility of some funding to allow you to keep that line going 24 hours a day. We're under, you know, severe fiscal pressures right now. But, I have one idea as to where I can get the money. It's located about four miles across the river here. [Laughter.]

It's a five-sided building over there. I imagine they have a hotline. I'll bet you that runs 24 hours a day. Their hotline does that. [Laughter.]

They could probably give you a few instruments too. I'm not sure it's even feasible or reasonable, but on an emergency basis, short of doing that, installing call-forwarding so someone could be available to receive that call. Call-forwarding is technologically available.

Mr. RABUN. Mr. Chairman, it might be worth noting it's not a perfect world, obviously, in terms of the citizen. But, at least in terms of local law enforcement and in terms of State law enforcement, these State clearinghouses, staff are on call by electronic means to those State clearinghouses and local law enforcement by means of pagers which work throughout the country and what have you. So we have, in the last year since we were here before, instituted that measure. Again, it's more of a stopgap. We obviously haven't taken the final leap, but, there are some pieces in place that at least help on the law enforcement and professional social services level. It obviously then only impacts the citizen parent if they've gone through those other channels. But, it beats where we were at this time last year.

Mr. KILDEE. Well, Bud and Ernest, maybe we can explore some means to keep that line operating 24 hours a day.

Let me ask you this, too. One of the mandates of the Center is to provide technical assistance to the police. How do you do that? How well are the police generally informed as to what they should do with a child when they find him or her. For example, are they encouraged to take them to a runaway shelter? I mean, these kids who are runaways, remember, are not criminals. They are status offenders. In some areas you have to constantly remind the police

and even the judges of the fact, you know, that they are status offenders. How well are we making progress in that?

Mr. ALLEN. Let me answer generally, and then let Mr. Rabun do some specific illustrations.

As I mentioned earlier, we maintain a full-time staff of technical advisors who are all trained professional law enforcement personnel. One of the challenges of the hotline and of those technical advisors when a call comes in that identifies the problem that requires a lot of assistance for the caller is that those people spring into action. They identify, based on the particular jurisdiction, what the resources are that are out there so that State clearinghouses are advised, the appropriate law enforcement agencies. It could be telling the caller how to make a report, and who you should call. It might be networking with those agencies themselves and certainly in those jurisdictions.

The director of the National Runaway Agency is on our board at the Center. And so we've tried to work closely with them and make sure that we know what the resources are.

Why don't you talk about specific case-examples of how that might work, John.

Mr. RABUN. Well, it works basically two ways. You can go proactive, which we prefer to do, and that's by putting out the right kind of professional literature and then doing the back-up training, hopefully more for the trainers. When you realize there are in excess of 22,000 law enforcement agencies in this country it's frustrating, to say the least.

We have gotten two manuals out. One on parental kidnapping, specifically, and one is a general investigator's guide for how law enforcement should handle missing children cases.

Both of those documents speak at some length about the necessity to fully interview children when they are located by law enforcement. Interview them to the purpose of, was there a reason you ran away from home? Is there any reason you can't go back home? Is there anything you want to tell me? You obviously don't want to find, you know, indians behind every bush. But, by the same token, I think law enforcement has a responsibility to these kids to find out, hey, you know, what's bothering you? If it is a law enforcement problem then they can begin to set that problem resolution in motion. If it's not, then they can refer to their colleagues in social services.

One of the things we found very helpful in that endeavor is when we do training around the country and in Canada we require the requesting agency—if it's social services they get cops there, if it's law enforcement they get social workers there. So that there's a forced, if you will, and in some cases it truly has been, comradery in that training session of—wait a minute both professions need to hear the same thing consistently at the same time.

Unfortunately, it's impossible without the help—and we've gotten that in about 40 of the States at this point through their State police training academies. They are requiring the use of our text as a norm. The Federal law enforcement training academy is requiring it down in Georgia. The FBI academy at Quantico, Virginia is requiring it in their academy. So, there's beginning to be a pretty decent infusion of, hey come on, these kids—in fact, you're

right, Mr. Chairman—are not criminals. Most of the times they are victims and we need to address that.

The true need of law enforcement is simply to locate the children. In the vast majority of cases that's where the cops get out of it. From then on they are handed over to social services and shelter houses and what have you. It's the only place you've got to turn. They need to know that too.

Mr. KILDEE. After they locate the children, do they know how to locate the runaway shelters? Do you keep, for example, a comprehensive list of all the runaway shelters in the country so you could advise the police department in Smithville, Michigan——

Mr. RABUN. Absolutely.

Mr. KILDEE [continuing]. Where the nearest runaway shelter would be.

Mr. RABUN. Absolutely. That's done on a daily, nightly basis, whether it's asked for or not, I might add. Sometimes people don't ask for that.

Mr. KILDEE. Mr. Tauke has a second run of questions.

Mr. TAUKE. Thank you, Mr. Chairman.

Mr. Allen, you indicated in your recommendations on future issues that we should do something for the creation of State clearinghouses in the remaining 11 States. How should we go about addressing that problem in your view.

Mr. ALLEN. Well there is some financial assistance, and I think there are a variety of approaches. And I would want to make it clear that the National Center is not opposed to Congressman Lewis' proposition. I understand there are some fiscal implications to that.

We think it's significant that there are 39 already. Now, they're of different shapes and sizes and most of them are mandated—not most of them, but a lot of them—are mandated by State statute and are funded through various vehicles. There had been assistance provided by OJJDP. I think it's, within the present context, it would be our recommendation that they be encouraged to do so, that there be some level of financial assistance as an incentive to do so and in most cases—though frankly, I think the push to create a clearinghouse has got to come from within that State.

Mr. TAUKE. So, could I assume from what you're saying that essentially we're doing about everything we should?

Mr. ALLEN. I think so.

Mr. TAUKE. Okay.

In the course of your discussion you indicated the necessity for access to NCIC. And then I thought I heard in response to one of the questions that you suggested that you could check the NCIC, which sounded like you did have access to it.

Mr. RABUN. Both are correct. We have presently, we have full access to NCIC for the purposes of two of the files, missing persons file and the unidentified, or what we colloquially call the dead file, for unidentified bodies and what have you, to match them against a missing persons file.

Where we are grossly ill-serving the purposes of Congress and certainly our own is in not having commensurate access with the wanted persons file for the purposes of working parental abductions, parental kidnappings. It's taking our staff the better part of

three to four weeks to get a file ready so that pictures can be put out of a child nationally, and what have you, because of the legal liability. Were we truly Government, we might could fit under the Federal shield——

Mr. TAUKE. Is there some easy way around that, or is there something we should be doing? Should we declare you, for purposes of access to the file, a law enforcement agency?

Mr. RABUN. I wouldn't want to do that, Mr. Tauke. Maybe a criminal justice agency but not a law enforcement agency. Or Congress, if it deemed proper, could simply indicate that the Center either should be given access to or has access to or whatever. There really are no legal bars to it according to counsel both at Main Justice and at the Bureau.

Mr. TAUKE. I don't think it's included in your testimony, or maybe I just missed it, if there is a recommendation that you have in that regard that you'd like to submit I think it might be helpful. Obviously, it would be rather technical.

Mr. ALLEN. Right. We will do so.

Mr. TAUKE. Mr. Leber. I tried to look at the rather lengthy amount of testimony, very well prepared apparently, that you have given us, but I didn't have a chance to do that prior to this morning.

As I understand it, you were suggesting throughout some sources of funds for various things including a certification program, research, some survey information, computer access, and so on. Are you looking for this subcommittee to include, in the act that we are reauthorizing, funding that would go to your organization, or to some similar organization, or would be distributed to non-profit organizations? I'm not sure that I really understand precisely what it is you're asking.

Mr. LEBER. Okay, that's a very good question. Specifically, what we are talking about—there are two different issues—there are specific areas where my foundation has resources that are available to give non-profit organizations and have for quite a long time. We have produced a myriad of educational videos, public service announcements—usually national celebrities—that can be utilized as resource for other non-profit organizations simply by not showing our telephone number there and our local name but giving it to those other local people so that they can help.

The same thing with some of the advertisement. A lot of the organizations that we've networked with have donated some very, very helpful assistance to us which we don't want to hold on to as we're the guys who did it. We want to say here's a package, you guys can use this. You can use this television commercial. You can use all these public service announcements. I think holding on to that for the purposes of saying that, you know, an organization somewhere in the United States did a good job is not going to attack the issue in general. So, for projects like that, if there are distribution costs, if you identify that there are a lot of assets—and there are some costs in developing a way to distribute those to other non-profit organizations—then I would certainly ask that that be addressed in legislation, not specifically to the International Missing Children's Foundation.

But, when you find a resource that's very good out there—and I'm not going to take the time to tell you the many that are, but I think the survey will tell you how many good programs are out there—you'll find out that a tremendous amount of money that's currently being spent, not just by the Federal Government, but by my organization in trying to raise money for things that I didn't know the guys in the other State already had, and they would be willing to give me. I do think that there should be a provision to take a look at what's already available and redistribute it.

As far as specific suggestions, whereby, certain board members of ours have relationships with private sector associations that have developed an interest, and certainly in the capability of computerizing, the organization throughout the United States.

As an example, Computer Sciences Corporation is the world's largest computer facilities management company in the world. They process more telecommunications information than anybody. They are very willing to assist us in doing this. I think in those kinds of cases the specific individuals that are able to influence the private sector in giving us that much assets, $60,000–$100,000 worth of computer hardware in helping to develop that, I think in those specific areas then, specifically, the money should go to that group, to the International Missing Children's Foundation.

However, the priority for funding those kinds of things, or the supervision of that money—it's very difficult sometimes in administering grants. Some of the reporting requirements of the smaller grants can eat up quite a bit of money just in developing the accounting procedures that it takes to comply with all that.

So, what I'm suggesting in an overall philosophy is you find the organization that is best suited to do that, whether it's the International Missing Children's Foundation or the National Center or Adam Walsh Center or Child Fund or whoever it happens to be. Figure out who's got the best assets and put out a request for a proposal.

Say that if somebody—I'll give you an example. The International Missing Children's Foundation was able to understand that $150,000 was available to develop a software program. And we had the connection where—a capability to bring some assets to it. We would not say, we're not going to help provide those assets to other non-profit organizations unless we administer that grant, because that's ridiculous. We're interested in trying to utilize assets that everybody has for the good of what we're all here for. So it doesn't have to be——

Mr. TAUKE. You're suggesting for these purposes we give funds to let's say HHS to be awarded then to various organizations for these purposes.

Mr. LEBER. Absolutely. I think when you find a good program that's already been developed out there you should interview the many organizations that might be capable of doing that.

Mr. TAUKE. One of those recommendations related to a certification program. Are you suggesting that we should have a Federal certification for non-profit organizations that deal in the area of missing children?

Mr. LEBER. Absolutely not. It's not a Federal certification. What it is, is providing Federal monies to non-profit organizations, and I

think it's stated in there to provide on-going training. It's a dangerous thing for somebody to certify an organization because who knows what they are going to do tomorrow, you know. They may become associated with—a lot of the recommendations we've learned through networking have come from our making the same mistakes so many other organizations have. You know, in working with fund-raisers or whatever have you. So, I do not suggest that the Federal Government endorse—which it would never, it'd be ridiculous to ask for—or certify that organization.

What I suggest they do is provide some modest funding to a committee, an oversight committee, that has the right educators, the right people in developing the surveys, the right people in scoring the tests and provide that as something that needs to be done as training. If the National Center's provision for those kinds of programs works with a component where perhaps the International Missing Children's Foundation underwrites some of the expenses involving video production, which we have a tremendous access to, great. We can work together on it. But I do think it should be a provision. I do think it should be an additional provision that allows this kind of training to be distributed. It's not an expensive process. It's one of the least expensive ways to get some of the best direct services to the public.

Mr. TAUKE. Thank you, Mr. Chairman.

Mr. KILDEE. Mr. Visclosky.

Mr. VISCLOSKY. I have no further——

Mr. KILDEE. Before we conclude, I'd like to just indicate that I'd like to explore Bud, with you, and with you, Ernest, two areas. One is the phone line there to see what we can do to keep it open 24 hours a day. And I think that we agree that that would be the ideal. So, let's try to explore some ways of doing that. And then, I'd also like to explore further the relationship of H.R. 1653, which Mr. Tom Lewis has introduced, to see how enactment of something like that would affect the role of your agency. I think those two things are something that we can explore on an informal level too.

I do appreciate the testimony of all of you here this morning. I think that we are serving the same constituency, children.

There are probably three vulnerable groups in society, just by their very nature. The young, the very old, and the poor. And the young, the very old, and the poor are the ones who need a sensitive and kind Government more than any other—most of us in this room will survive pretty well no matter what Government does. But those who are vulnerable really need a kind, sensitive, and sensible Government. And I think that your testimony here this morning will help us to make that Government more kind, sensitive, and sensible.

And Mr. Leber, we appreciate your testimony and the very good document you gave us here also.

Mr. LEBER. Thank you.

Mr. KILDEE. I think that in this effort of serving our children there's plenty of work for both the Government sector and the private sector to do, and we still won't reach all the kids who need help. But maybe we can reach more if we can find some good cooperation between the private and public sector like that. I think that we will try to work with both of those groups to achieve that.

And we thank you very much for your testimony this morning.

Mr. ALLEN. Thank you, Mr. Chairman. Thank you.

Mr. KILDEE. Our next panel will consist of Janet Dinsmore, the Ad Hoc Coalition for Juvenile Justice and Delinquency Prevention, Washington, D.C.; William A. Bogan, Executive Director of the National Coalition of Hispanic Mental Health and Social Service Organizations, Washington, D.C.; Tom McDonald, First Vice-President, National CASA Association, Louisville, Kentucky; Donna Gary, National Board Member, the National Council of Jewish Women from Fairfax, Virginia; and Ronald L. Williams, Executive Director, Covenant House (Under 21), New York, New York. If they would come forward.

Ms. Dinsmore, do you want to start first?

STATEMENT OF JANET DINSMORE, AD HOC COALITION FOR JUVENILE JUSTICE AND DELINQUENCY PREVENTION, WASHINGTON, DC

Ms. DINSMORE. Good morning, Mr. Chairman.

We appreciate the opportunity to testify before this subcommittee, and we strongly support the reauthorization of the Juvenile Justice and Delinquency Prevention Act.

I'm Janet Dinsmore, editor of a publication called Justice For Children, and a member of the Ad Hoc Coalition.

The coalition has actively supported the mandates of the JJDP act and played a vital role in its reauthorization in 1980 and 1984.

As you mentioned yourself in your opening remarks, the act has been a major force for change with a very small budget. It has provided seed money that has leveraged much larger amounts in public and private funds at the local and State levels and been a catalyst for new services. Federal research monies have made possible the testing of new alternative approaches to delinquency prevention and juvenile crime. And the consequence has been new local partnerships, new training resources, better procedures, and more effective responses to youth needs—which your own committee has brought out. And we thank you very much for it.

Despite improvements, however, we still have a long way to go. And there's been considerable retrenchment in the last eight years under the Administration's get tough attitude toward juvenile crime, combined with significant cutbacks in prevention and treatment programs for troubled youth and families. And I'll give you some examples of that.

Most States have now enacted legislation increasing the number of juvenile offenders tried in adult court. As a result, kids under 18 admitted to adult prisons has jumped drastically. There they face, as we all know from media coverage and research and long experience, terrible problems of overcrowding, lack of appropriate education and training, sexual and physical assaults, increased suicide risks, and long-term emotional damage. We don't believe adult prisons are the place for kids.

Lawmakers have also stiffened penalties for youth abjudicated in juvenile courts, resulting in enormous increases in the number of juveniles confined in detention centers and secure facilities. Reliance on incarceration, as opposed to treatment services, for young

offenders is producing widespread reports of mistreatment—absolutely shocking cases around the country—chronic overcrowding, inadequate services, and suicides.

According to research findings, minority youth are not only incarcerated at a much higher rate than whites for similar offenses, growing numbers are confined in public juvenile detention centers while white offenders tend to be placed in private facilities—desegregation by race in the juvenile correctional system—research is increasingly showing. Juvenile's with mental health problems are frequently held in secured detention where they receive little, if any, appropriate treatment.

The lack of due process protections has been a long-standing problem in the juvenile justice area. Many accused and abjudicated juveniles are either not represented by counsel at all, or represented by attorneys who are completely unfamiliar with juvenile law or treatment options.

Unlike—I'm going to digress—the missing children's area which attracts great sympathy on the part of many people, the plight of troubled youth and troubled adolescents and offenders is not a popular one, and they have traditionally received the lowest level of professional services. You ask any survey, any group of teachers, usually the junior high level is the most odious and the one everyone is trying to escape. And that holds true for judges and lawyers. It's viewed as a very low status. In one study in New York they found only 4 percent of the attorney's representing kids had minimal competency. That means they had read the file before they went into court, or they knew the child's name.

Countless juveniles run away each year, many of whom are escaping abusive home situations. Shelters throughout the country have to turn away kids because they don't have the space. Many public systems and agencies do not coordinate efforts resulting in duplication, and more often gaps, in needed services.

Our coalition is made up of 25 or more organizations. They range from ones focusing on recreational programs to those dealing with very hard-core, serious juvenile crime. We bring a range of different viewpoints and concerns, but we are united in support of the need to reauthorize the Juvenile Justice Act. And we believe, moreover, that its potential has not yet been realized.

Our recommendations are directed more toward strengthening current provisions rather than proposing new initiatives. We support the four-year reauthorization schedule for the act. We believe that the benefits of a longer reauthorization term are offset by the need to hold more hearings, as your committee does, to identify problems and consider solutions.

We believe the December, 1988, deadline for removing juveniles from adult jails and lockups should be maintained. And States and local governments should be urged to maintain this deadline and assist it to the extent possible in achieving this goal.

We believe the act's original focus on delinquency prevention, rehabilitation, and treatment must be re-emphasized. Programs that build the juvenile's self-esteem and self-discipline have proven successful and should be replicated.

The need to deinstitutionalize status offenders must be reaffirmed. A recent California Supreme Court ruled that courts can

now jail truants who disobey orders to attend school. That's exactly the kind of thing the Juvenile Justice Act was set up to counteract and we feel this is a terrible step backward.

Community-based alternatives to institutionalization must be strongly supported by Federal directives and monies. Nearly 30 States have taken the lead in reexamining juvenile corrections policies, reducing the populations in secure institutions enclosing a number of those facilities. Reform efforts have included family treatment, tracking programs, day treatment, education, proctor advocates, group homes, specialized residential programs for emotionally disturbed kids, and drug and alcohol outpatient services. There have been impressive results of such reforms and they've been evaluated by the National Council on Crime and Delinquency in Utah, which found substantial declines in recidivism, even among youth with "extensive and serious criminal histories including violent offenses."

One approach that has proven effective is the adoption of juvenile statewide subsidy programs which can leverage, again, larger amounts of money specifically directed at an objective of the act. We would suggest that those subsidies be directed to the development of more alternative and community-based services for young offenders.

An area of great concern is the valid court order provision of the act. We opposed it when it was originally introduced and we still have strong concerns about it. The problem is very little is known. There's been no research done or data available to see how it's working. If this is going to continue in the act we would like to see studies to find out exactly how it's being used, and how extensively.

Mr. KILDEE. You may recall a battle on the House floor that I took part in, about maybe six years ago, to strike that part of the valid court order.

Ms. DINSMORE. We have fought that.

Mr. KILDEE. I, unfortunately, lost that battle then. [Laughter.]

Ms. DINSMORE. Keep fighting, please.

Data collection and dissemination must be improved. While there's a great deal of data turned out by some agencies in Government, we lack information on what is working in time to make use of it. Local problems have no way of building on past successes or avoiding failures if they don't know the results of projects that have been funded by the office. We need the information and we need it quickly, as soon as the results are available.

Education and access to appropriate mental health services are essential for juveniles at risk or already enmeshed in the system. The office must work to insure that all placement facilities provide educational and treatment programs staffed by trained personnel.

The office must also strengthen the role of the coordinating Council, since this can bring the coordination of Federal effort on very broad problems that OJJDP traditionally has not had the funds to handle, such as the educational and emotional needs of youth at risk.

Alternative learning programs are critical for many young people on the verge of serious trouble. There's probably no greater opportunity to help young people outside the family than in the schools. This is an area which OJJDP cannot do alone under its

present budget nor maybe should be asked to do. But, it's an area where they can work with others if they take the initiative.

Local and State interagency cooperation must be encouraged through discretionary grants and planning. One example is the link between abuse and delinquency. It has been very well established by people working for years, as well as demonstrated in research. This must be reflected in the kinds of policies mandating coordination between agencies that work with these kids.

We have two final points. One is that the Coalition believes firmly in a separate system for juveniles. We've seen increasing moves to criminalize the juvenile court. And while we would support some of the due process protections that are coming in, we fear a loss of the traditional objectives of the juvenile system which are prevention, treatment, and rehabilitation. These objectives should not only be maintained, but strengthened.

The second is that, as you know very well, the advocates in this area have had to fight for the existence of the act and we may be forced back to doing that again with a zero budget. We would like to be able to spend our time finding ways this act and other laws for children can best achieve a system that truly serves their needs. We fervently hope the time is past when the existence of the act itself is in question.

We appreciate your leadership. This committee has been great. You have been a strong force for change yourself. And we hope you will continue to work for the promise of the act. Thank you.

[The prepared statement of Janet Dinsmore follows:]

TESTIMONY BEFORE THE U.S. HOUSE OF REPRESENTATIVES
SUBCOMMITTEE ON HUMAN RESOURCES

SUBMITTED BY THE AD HOC COALITION FOR JUVENILE JUSTICE
AND DELINQUENCY PREVENTION

FEBRUARY 18, 1988

Good morning, Mr. Chairman. We appreciate the opportunity to testify before the Subcommittee on Human Resources on reauthorization of the federal Juvenile Justice and Delinquency Prevention Act, and greatly appreciate the leadership this Committee has provided in improving conditions for troubled children and families. We are particularly grateful for your understanding of and unwavering advocacy for programs that are needed and programs that work.

I am Janet Dinsmore, editor of the publication Justice for Children, and a member of the Ad Hoc Coalition for Juvenile Justice and Delinquency Prevention. The Coalition is a group of over 25 national, state and local organizations committed to responsible juvenile justice policies and programs. It meets monthly to discuss Congressional and federal action as well as current issues affecting juveniles in the justice and social service systems. The Coalition actively supports the mandates of the Juvenile Justice and Delinquency Prevention (JJDP) Act of 1974, and played a vital role in its reauthorization in 1980 and 1984.

Accomplishments

Over the last 14 years, the JJDP Act and its amendments have been a major force for change. Roughly half the states have passed legislation restricting the incarceration of juveniles in adult jails and lock-ups, and almost all have substantially reduced the number of status offenders confined in secure institutions. The incarceration of abused and neglected children in jails, detention centers and training schools has also been virtually eliminated.

The impact of the JJDP Act has been far greater than its modest budget would suggest. Federal seed money and policy leadership have been critical in freeing other resources--both public and private--for use in urgently needed prevention and treatment programs. Formula grant funds have been a catalyst for new services for youthful offenders and abuse victims. Federal research moneys have made possible the testing of alternative approaches to delinquency prevention and juvenile crime. The consequence in many cases has been new local partnerships, new training resources, better procedures, and more effective responses to youth needs.

Problems

Despite improvements in social service and law enforcement procedures for handling abused and/or delinquent children, we still have a long way to go. There has been, in fact, considerable retrenchment in a number of areas, reflecting both the Administration's "get tough" attitude toward juvenile crime and significant cutbacks in prevention and treatment programs for troubled youth and families. For example:

* Most of the states have now enacted legislation increasing the number of juvenile offenders tried in adult court. As a result, the number of persons under 18 admitted to adult prisons has jumped drastically. There they often face major problems of overcrowding, sexual and physical assaults, lack of appropriate education and training programs, increased suicide risks, and long-term emotional damage.

* Lawmakers have stiffened penalties for youths adjudicated in juvenile courts, resulting in enormous increases in the number of juveniles confined to detention centers and secure facilities. The reliance on incarceration as an appropriate response for young offenders is producing widespread reports of mistreatment, chronic overcrowding, inadequate services, and suicides in youth detention centers.

* According to research findings, minority youth are not only incarcerated at a much higher rate than whites for similar offenses, growing numbers are confined in public juvenile detention centers and training schools while white offenders are placed in private facilities (B. Krisberg, I.M. Schwartz, P. Litsky & J. Austin, "The Watershed of Juvenile Justice Reform," Crime and Delinquency 32, No 1, 1986).

* Juveniles with mental health problems are frequently and inappropriately held in secure detention where they receive little if any effective treatment.

* Despite rights to due process protections, most accused or adjudicated juveniles are either not represented by counsel at all, or represented by attorneys unfamiliar with juvenile law or treatment options. The lack of qualified professionals throughout the juvenile justice system frequently leads to inconsistent and arbitrary responses to problems of abuse and delinquency.

* Countless juveniles run away each year, many of whom are escaping abusive home situations. Shelters throughout the country report having to turn youngsters away for lack of space.

* Major public systems and agencies reponsible for dealing with troubled youth often do not coordinate their efforts, resulting in duplication and/or gaps in services.

Recommendations

The Ad Hoc Coalition for Juvenile Justice and Delinquency Prevention is made up of a wide diversity of organizations, ranging from those focusing on recreational programs for youth to those dealing with serious juvenile crime. While we bring different concerns and viewpoints to our meetings and represent many different constituencies, we are united in support of the need to reauthorize the Juvenile Justice and Delinquency Prevention Act. We are also united in the belief that the Act's potential for reforming juvenile justice policies and procedures has not yet been realized. Our recommendations are directed, accordingly, to strengthening current provisions rather than proposing new initiatives in the Act.

1. The Coalition supports the four-year reauthorization schedule of the JJDP Act. We believe the benefits of a possible longer reauthorization term are offset by the need to ensure more frequent Congressional hearings to identify problems, consider needs and suggest solutions.

2. The December 1988 deadline for removing juveniles from adult jails and lock-ups should be maintained, and states and local governments should be assisted to the extent possible in achieving this goal.

3. The Act's original focus on delinquency prevention, rehabilitation and treatment must be re-emphasized. Programs that build a juvenile's self-esteem, self-motivation, and self-discipline have proven successful and should be widely replicated.

5. The need to deinstitutionalize status offenders must be reaffirmed in federal policy. A recent California Supreme Court ruling that courts can jail truants who disobey orders to attend school provides an alarming step backward in juvenile justice reform.

6. Community-based alternatives to institutionalization must be strongly supported by federal directives and moneys. Nearly 30 states have taken the lead in reexamining their juvenile corrections policies and reducing both the populations confined in secure institutions and the number of such facilities. Reform efforts have included: family treatment, tracking programs, day treatment, education components, proctor advocates, various models of group homes, specialized residential programs for emotionally disturbed youth, and drug and alcohol outpatient services. The impressive results of such reforms were evaluated in research conducted by the National Council on Crime and Delinquency, which found substantial declines in recidivism, even among youth with "extensive and serious criminal histories including many violent offenses."

One approach that has proven effective in several states is the adoption of statewide juvenile subsidy programs supporting the Act's purposes. Such programs can be specifically directed to development of alternative and community-based services for young offenders.

7. Research is needed to examine the use of the valid court order provision of the Act in Sections 223 (a)(12)(A). The Coalition was opposed to its inclusion in the Act in 1980, fearing an increase in the number of status offenders cited for criminal contempt and subsequently jailed. We are still strongly concerned about the valid court order's possible impact.

8. Data collection and dissemination efforts must be improved. The Bureau of Justice Statistics should be required to provide statistics on youth held in adult jails and lock-ups and in detention facilities, based on race/ethnicity, offense and gender. That information should be analyzed and provided annually to members of Congress, appropriate agencies and organizations concerned with juvenile justice issues. The external and internal dissemination of research and project information must be reemphasized throughout the Office of Juvenile Justice and Delinquency Prevention. Those policymakers and service providers without means for information sharing currently operate in a vacuum.

9. Education and access to appropriate mental health services are essential for juveniles at risk of or already enmeshed in the juvenile justice system. The Office must work to ensure that all placement facilities provide educational and treatment programs staffed by trained personnel. The Office must also strengthen the role of the Coordinating

Council in addressing the educational and emotional needs of students at risk. Alternative learning programs are critical for many young people on the verge of serious trouble. There is probably no greater opportunity to help young people outside the family than the schools.

10. Local and state interagency cooperation must be encouraged through discretionary grants and program planning. The link between abuse and delinquency has been amply demonstrated in research and practical experience, and must be recognized in Office policies encouraging agency coordination.

We have two final points. One is that the Coalition stands firmly in support of a separate system for juveniles emphasizing prevention, treatment and rehabilitation. We believe those traditional objectives should not only be maintained but strengthened.

The second is that we would like to spend the next four years concentrating on ways this Act and other laws can best achieve a system that truly serves the needs of troubled children. We fervently hope the time is past when the existence of the Act itself is in question.

Again, we appreciate the leadership of this Subcommittee and its distinguished Chairman, Congressman Dale Kildee, in continuing to work for the promise of the Juvenile Justice and Delinquency Prevention Act. Thank you very much.

Mr. KILDEE. Thank you, very much.
Bill.

STATEMENT OF WILLIAM A. BOGAN, EXECUTIVE DIRECTOR, NATIONAL COALITION OF HISPANIC MENTAL HEALTH AND SOCIAL SERVICE ORGANIZATIONS, WASHINGTON, DC

Mr. BOGAN. Good morning, Mr. Chairman and members of the committee. It is a pleasure to be here.

I'm the Executive Vice-President of the National Coalition of Hispanic Health and Human Services Organizations. We are more commonly known by our old acronym, COSSMHO. We've been around for about 14 years and for 10 of those we have been active in the delinquency prevention field through a relationship with OJJDP. We also run national demonstration programs and teen pregnancy prevention, now in AIDS education, and health promotion and disease prevention and in substance abuse. In fact, we would have had several other people here but we have a national Hispanic conference on alcohol and drug problems in Miami. It starts today.

I want to do just three or four major points, make three or four major points in my remarks which you also have for the record.

The first is to just mention one of the compelling reasons why we feel that the OJJDP is important and that's some basic demographic facts about the Hispanic community. The point is that Hispanics have always been one of the youngest groups in the country. And as we look at the official census bureau projections on how the age demographics are shifting we see that Hispanics will be a higher proportion of the youth population from here on out into the year 2010 and beyond.

It may seem like a minor point but, in fact, that shift is from 10 to 13 percent of all 14- to 17-year-olds will be Hispanic. And if you use the high range of the Census Bureau projections, in fact Hispanics will be 19 percent of that age group by the year 2010. That makes a bigger difference in States like California, Texas, New York where the population is clustered. And again, I'd just point out that about 90 percent of all Hispanics live in 9 States in the country. In fact, in California projections for that State show that Hispanics will be about 33 percent of the 10- to 14-year-olds and about the same percentage of the 15- to 19-year-olds by the year 2000. So we feel a very compelling need for this type of an agency to deal with the youth population of which our people are a higher proportion every year.

The other thing I would point out, in terms of demographic trends, Hispanic children increasingly are living in poverty. And between 1979 and 1985 that proportion increased from 27.5 percent to 39.9 percent. And among Puerto Ricans, one of the largest—one of the second largest groups in the Hispanic population—that rate was almost 60 percent of all Puerto Rican children living in poverty in 1985.

Now I realize that that may not, in and of itself, be a predictor of a juvenile delinquency problem. But certainly I think people are concerned about poverty and its relationship.

And finally, I'll just point out the dropout rate for Hispanics is probably about three times that of non-Hispanic whites, probably 40–60 percent in many large cities. Again, not all dropouts become delinquents, but you look at that as a risk factor. Those are some of the population trends that make us look to this agency and its continued existence.

Now, the other thing that I'd like to point out, and it's been mentioned to you before, but again it's just underscoring the different rates of incarceration for minorities and non-minorities. And as the Hubert H. Humphrey Institute has pointed out, that in 1979 the rate of incarceration for Hispanic males was about 2.3 times higher than the rate for non-Hispanic white males. And that rate, in fact, had increased to about 2.6 times higher by 1982. So, you see those rates shifting. There's more of a doubt, disproportionate, if you will, incarceration of Hispanics over time.

The other point I would make is that there is a difference in where they end up in the system. And one-day counts in 1982 showed that 48 percent of whites in the system were in private facilities and only 26 percent of Hispanics were in private facilities. So, again, we have sort of a two-tiered system emerging with Hispanics and other minorities in the public system, probably getting less treatment and rehabilitation service.

We have had, as I said, about 10 years of experience with OJJDP, and for all those years we've worked with the Special Emphasis Division. I wanted to point that out because I understand there may be some discussion and some sectors felt eliminating that division. We feel that without the Special Emphasis Division OJJDP could not effectively work with minority communities. And I'll mention one of our projects to show how I think they were very effective.

For the last three years we've had Project Hope which is a national multi-site demonstration in which COSSMHO effectively was a "structural broker." In other words, we got a rather large sum of money, but we spent about 60 percent of that in contracts to local community agencies in which we helped them design and implement programs which met local needs. It was not a mandated national program, it was a grassroots national effort.

Because OJJDP was flexible in letting us do that, because we were able to provide technical assistance, because we could listen to local communities, we had eight very diverse programs but they all had success locally. In fact, as you'll see in the testimony, I think six of those eight now have State, local, and foundation funds to carry on the work now that we are phasing out the Federal money.

And I guess I would make one other point about that success. Not only do we have, as a result of this program, new local institutions or programs and services, these groups obviously now have new relationships with State and local authorities which allow them not only to get funding but they've been appointed to State advisory groups and other committees. They are a part of a system, they are not outside of a system. They are working to make solutions. They are not just the problem that the majority society institutions have to deal with. And I think, perhaps, that's a major accomplishment that we haven't documented up to this point.

Finally, I'd like to just summarize three or four specific recommendations that we've included in our testimony. The first, of course, is that we should retain the Special Emphasis Division. I would also point out that because of what we see, even the overrepresentation of minorities in the system, we would suggest that you add an additional priority under section 224a. And that's simply language to the effect that they should be developing and implementing national strategies to decrease the overrepresentation of minorities institutionalized in the system.

We also would like to see that some language be added to the provisions for the National Institute for Juvenile Justice—I'm sorry, I'm scrambling something here—it's for the research end of the act. And basically, we'd like to have language added that they should support research on the incarceration of minorities, including longitudinal, national trends, State and local patterns, and factors contributing to the overrepresentation of minorities in certain facilities.

The problem we've seen is that there is a good data base there in the Children in Custody Survey. We don't see the analysis being done with that as quickly as it should be, and we don't see the results being put out. And the next step doesn't happen, where you go from the national data down to the State or individual institutions and look at that overrepresentation, look at the reasons why the kids are in there, the length of sentencing, other data that you could start to explain why that overrepresentation is taking place. And I just don't think that's been done. We've talked about it with Hubert Humphrey Institute for a while. The foundation money wasn't there to do it, so perhaps the Institute could make that a priority for its future research activities.

And then I think the final recommendation is simply that if OJJDP is going to continue the requirements for State plans, put some language in there that increases their accountability for minority issues. I think right now minorities are usually—it's usually phrased in some way of equitable treatment or equitable consideration. I don't really think that's tough enough. I think since we've seen the overrepresentation problem. The State plans should address that both from a planning perspective and on the reporting perspective in terms of accountability. What have they done in subsequent years to look at that problem? If not solve it, at least look at it and try to understand it. And those are major recommendations.

[The prepared statement of William A. Bogan follows:]

TESTIMONY OF THE
NATIONAL COALITION OF HISPANIC HEALTH AND
HUMAN SERVICES ORGANIZATIONS
(COSSMHO)

BEFORE THE SUBCOMMITTEE ON HUMAN RESOURCES
of the
COMMITTEE ON EDUCATION AND LABOR
U.S. HOUSE OF REPRESENTATIVES

on

H.R. 1801, TO REAUTHORIZE THE
JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT

Washington, D.C.
February 18, 1988

Chairman Kildee and Members of the Subcommittee, please accept my thanks for the invitation to testify before you on the very important matter of the reauthorization of the Juvenile Justice and Delinquency Prevention Act.

My name is William A. Bogan, and I am Executive Vice President of the National Coalition of Hispanic Health and Human Services Organizations, more commonly known by its acronym - COSSMHO. Now approaching its fourteenth year of program operations, COSSMHO is the only national Hispanic organization currently conducting delinquency prevention programs on a national scale with the Office of Juvenile Justice and Delinquency Prevention. Our commitment to delinquency prevention dates back ten years, when the first programs were initiated. In addition to our work directly in Hispanic communities, COSSMHO is also a member of the Ad Hoc Coalition on Juvenile Justice and participates in activities sponsored by the State Advisory Groups.

Our testimony is intended to offer the strongest possible support for the reauthorization of this Office, and it will focus on four major points: (1) demographic trends in the Hispanic population and the younger age groups; (2) patterns of incarceration of Hispanic youth; (3) examples of OJJDP's effectiveness in developing prevention and community alternative programs in Hispanic communities; and (4) recommendations for language which will strengthen the agency's ability to address the juvenile delinquency problem in Hispanic communities.

HISPANIC YOUTH IN THE FUTURE U.S. POPULATION: WHAT THE CENSUS BUREAU PROJECTS

We have known for some time that a higher proportion of Hispanics than non-Hispanic white are age 18 or younger. In 1985, about 36% of Hispanics were in that age group, compared to 24% of non-Hispanic whites. Now, with population projections from the Census Bureau, we can see with some clarity how the youthfulness of the Hispanic population will evolve over the next twenty to thirty years.

Between the years 1990 and 2010, the Bureau estimates that the proportion of non-Hispanic whites in the age group 14 - 17 will drop, from 71% to 66%. At the same time, the proportion of Hispanics in the age range 14 - 17 will increase from 10% to 13%. It should be noted that the latter figure represents the mid-range projections for Hispanic growth, and that under the high-range assumptions, Hispanics would account for 19% of 14 - 17 year olds by 2010.

Likewise, in the age range 5 to 13 year olds, Census projects that the non-Hispanic white proportion will decline from 71% in 1990 to 64% in 2010. The Hispanic proportion, though, will grow from 11% to 15%. Again, if the high range projections were used, Hispanics would account for 23% of the 5 to 13 year olds by 2010.

These national data, showing that Hispanics are increasingly becoming a larger portion of the youth population, do not accurately portray the extent of demographic shifts in many large states. In California, Texas, New York, and other states - particularly in the Southwest, Hispanics will be an even higher proportion of the youth groups. In California, for instance, Hispanics will account for 33% of 10 to 14 year-olds and a similar percent of 15 to 19 year-olds - proportions which will increase slightly by the year 2000.

Of course, the growing proportion of Hispanics in the youth population does not, in itself, dictate that Hispanics will become more numerous within the juvenile justice system. Unfortunately, though, two other trends point to increased risk for social dysfunctioning in the Hispanic youth population.

- o Poverty among Hispanic children is becoming more pervasive. Between 1979 and 1985, the proportion of Hispanic children living in poverty increased from 27.5% to 39.9%. Among Puerto Ricans, the rate soared to 58.6% - higher than even the rate of 42.9% for non-Hispanic Black children. (U.S. Census Bureau)

- o The dropout rate for Hispanics is as much as three times higher than the rate for non-Hispanic whites. Of those Hispanics who leave high school, approximately 40% do so by the fall of their sophomore year. (National Commission for Employment Policy and National Council of La Raza)

There are other trends suggesting growing problems - high rates of adolescent pregnancy, early experimentation with cigarettes and alcohol, and the increasing number of female-headed Hispanic homes. The picture, then, is one in which the strengths of the traditional Hispanic family are eroding, peer examples of non-productive behavior are increasing, and, as suggested below, the likelihood of Hispanic youth having an encounter with juvenile authorities appears to be increasing as well.

The conclusion we draw from these trends is that prevention and alternatives to incarceration must be high priorities for Hispanic communities. At present, there is no institution other than the Office of Juvenile Justice and Delinquency Prevention which is positioned to provide the national leadership and resources necessary to prevent a major increase in delinquency and incarceration among Hispanic youth. This pivotal role for OJJDP must be sustained and hopefully strengthened.

HISPANIC YOUTH IN CUSTODY: THE PROPORTIONS ARE INCREASING

It is not news to announce that Hispanic juveniles are incarcerated at a rate higher than that of non-Hispanic whites. A study of the Children in Custody data base, published in May, 1986, by the Hubert H. Humphrey Institute of Public Affairs calculated that in 1979 the rate of incarceration of Hispanic males was 2.27 times higher than the rate for non-Hispanic white males. By 1982, the Hispanic male rate was 2.6 time higher than that of non-Hispanic white males. Another way of looking at the data is to compare the difference rates of change. Between 1979 and 1982, the Hispanic male rate increased by 36%, while the rate of increase among white males was only 18%.

The increase of Hispanics in juvenile facilities is only one aspect of the larger problem. Minority youth are now the majority population in public facilities, and the system - composed of public and private facilities - clearly differentiates on a racial/ethnic basis. Data from 1982 illustrate this point. The one-day counts showed that 48% of whites in the system were in private facilities, compared to only 26% of Hispanics.

From the existing data, then, two key policy issues emerge. Will we continue to find it acceptable to have higher rates of incarceration for minority than non-minority youth? And among those incarcerated, we will find it acceptable to have a two-tiered, racially-polarized public/private system? These are precisely the types of policy issues to which the Office of Juvenile Justice and Delinquency Prevention can bring to bear research, resources, and leadership. There are few, if any, national entities in the public or private sector which can more effectively carry out this mission.

BUILDING UP HISPANIC COMMUNITY INFRASTRUCTURES: RESULTS OF PROYECTO ESPERANZA/PROJECT HOPE

As an indication of OJJDP's ability to address the minority aspects of the juvenile delinquency problem, I'd like to offer the example of Proyecto Esperanza/Project Hope. In 1984, OJJDP provided the initial funding to COSSMHO to develop community-designed and community-based prevention programs in eight cities. COSSMHO played the role of "structural broker," transfering resources, approving local plans, monitoring progress, and providing technical assistance. In the second year, the project identified four additional community-based organizations, which were designated technical transfer sites and which developed new capacities through linkages with the initially-funded programs.

We have previously placed in the record descriptions of these programs, but I would like to call attention to our success in the process of building community infrastructures. By success, I mean the host agency's ability to secure funding to continue activities after the planned withdrawal of federal support through the OJJDP grant. In brief, the accomplishments include those of

La Familia Counseling Center, Inc., Sacramento, CA, received state funding to continue their CASA program and volunteer training for a year.

Hispanic Health Council, Inc., Hartford, CT, secured one-year funding to establish a Center for Child Abuse and Neglect Prevention; funding sources include the Connecticut Department of Children and Youth Services and the National Center for Child Abuse and Neglect.

Proceed, Inc., Elizabeth, NJ, obtained one year of continuation funding from the state's Division of Youth Services and has new vendor relationships with the county court system and the Division of Child Protective Services.

Association for the Advancement of Mexican Americans, Inc., Houston, TX, will continue parent training with funds from the Harris County Juvenile Probation Department and will support operate six "Host Homes" with its own funds while new support is sought.

Institute for Human Resources Development, Inc., Salt Lake City, UT, has partial funding from the state juvenile justice block grant to continue crisis intervention with runaways and a small foundation grant to further develop an early intervention program with high-risk, young mothers.

Youth Development, Inc., Albuquerque, New Mexico, will merge our project with a new substance abuse grant;

A common theme cuts across these programs: with support from OJJDP, local Hispanic communities created new delinquency prevention and community alternatives programs, and because they were responsive to unmet needs, in most cases funding alternatives have been found. There is another important outcome. In most of these communities, Hispanic leadership in the health and human services fields have strengthened their relationships with youth-serving institutions and officials. These productive working relationships, just like the new programs, will contribute to improved sensitivity and responsiveness to Hispanic community needs.

RECOMMENDATIONS FOR STRENGTHENING THE ACT

In repeating our call for favorable consideration of H.R. 1801, I would like to offer for your consideration suggestions aimed at increasing the Act's responsiveness to Hispanic concerns.

Retain the Special Emphasis Division. The Division has shown its potential to respond to diverse Hispanic community needs with programmatic flexibility that emphasizes local design and direction of initiatives. Because the Division can fund programs of national scope, COSSMHO was able to create a network of community-based programs and transfer among them techniques and approaches that they otherwise might not have been available.

However, given the disturbing trends in the incarceration of minorities, I would recommend that an additional priority be added to Section 224.(a):

> developing and implementing national strategies to ameliorate the overrepresentation of minorities institutionalized in the juvenile justice system.

Require that the National Institute for Juvenile Justice and Delinquency Prevention provide for ongoing analysis of minority incarceration. The data available through the Children in Custody surveys are invaluable, but the analysis is not done routinely and the findings are not widely disseminated. In addition, research must focus on localities and specific institutions in order to identify factors related to the overrepresentation. There are extremely important questions that remain unanswered regarding discriminatory practices in disposition of cases as well as severity of crimes committed by the various racial and ethnic groups. Accordingly, we would recommend that additional language be added to Section 243, authorizing the Institute to

> support research on the incarceration of minorities, including longitudinal national trends, state and local patterns, and factors contributing to the overrepresentation of minorities in certain facilities.

In states where minorities are overrepresented in juvenile justice institutions, require state plans and annual performance reports to address efforts to reduce the overrepresentation. States plans required under Section 223 should squarely address the minority incarceration issue - particularly those states where data show large numbers or proportions of minorities already in the system. Unfortunately, reference to minorities is limited to one item, which simply assures that assistance will be available on an equitable basis for disadvantaged youth,

which includes minorities. Minority emphasis could come at numerous points in this section, and we urge this Subcommittee to examine the planning requirements very carefully for additional opportunities to emphasize action on, not just concern about, minorities.

In conclusion, I want to underscore COSSMHO's support for the reauthorization of the Office of Juvenile Justice and restate one of our primary concerns about the future. Hispanic youth increasingly will be a larger proportion of the nation's young people, but it appears that many of the Hispanic adolescents will face increasing risks for delinquent behavior and incarceration. Without the national leadership and resources of OJJDP, the battle to save Hispanic youth will be much more difficult.

Mr. KILDEE. Thank you, Mr. Bogan.

Judge McDonald, you're from Louisville, Kentucky, I note. And Kentucky has enriched my own congressional district by sending us Judge Luke Quinn, whom you may know. He does an excellent job in dealing with juvenile justice in Michigan.

Mr. MCDONALD. Thank you, Mr. Chairman.

STATEMENT OF TOM McDONALD, FIRST VICE PRESIDENT, NATIONAL CASA ASSOCIATION, LOUISVILLE, KY

Mr. MCDONALD. Mr. Chairman and members of the committee, I'd like to thank you for allowing me the opportunity today to discuss with you the Court Appointed Special Advocated Organization. CASA provides carefully screened, fully trained, lay volunteers to advocate in court on behalf of dependent, neglected, and abused children. The national CASA association is a not-profit, tax-exempt organization which provides extensive support to existing local programs and facilitates the establishment of new ones.

At present there are 271 CASA programs in 44 States, and new programs are beginning at the rate of approximately four per month. I would emphasize that there is at least one CASA program in each one of your States advocating on behalf of abused, dependent, and neglected children. We now have approximately 12,000 volunteers serving roughly 40,000 of this countries most needy children.

Through my work on the faculty of the National College of Juvenile Justice, I've had the opportunity to visit dozens of communities across this country and view firsthand the number of very innovative programs designed to benefit abused and neglected children. I can say unequivocally that I've not seen any program more effective than CASA. My experience on the juvenile bench as a sitting judge has certainly reinforced that view.

The benefits of CASA both in human terms, as well as in economical savings, are phenomenal. CASA volunteers are often able to keep families together by accessing the services necessary to prevent the child's placement into foster care. The volunteers unquestionably help to provide a safer living environment for our children, and they provide desperately needed information to the court.

One of the greatest benefits to the child is the continuity that having a CASA volunteer assigned to his case provides. The CASA program is predicated upon the belief that we match up a volunteer one-to-one per child, or one volunteer per sibling group. As the committee is well aware, a major problem in the entire area of juvenile justice is the extremely large case load that each social worker is required to carry. I believe the nationally recommended ratio was 23 children per social worker. In Kentucky, we're closer to 40 to 45 cases per social worker. And it's absolutely atrocious when you consider that the social worker, even if the worker visits one child each and every day including weekends, would only be able to visit each of his or her children approximately once every six weeks. I think that's a staggering statistic.

With the Chair's permission I would like to discuss one specific instance that I've encountered in Kentucky. And I certainly have

no intention of boring you with an endless recitation of war stories. But I believe that this one example would clearly illustrate the benefit of CASA. We had a young 15-year-old mother give birth to a child and she was pretty much overwhelmed by caring for the child—particularly this child, he was born with cerebral palsy and was blind at birth. Because of her inability to care for the child, Eugene was placed into the foster care system, and I might add, into a very loving foster home.

At the time of his commitment as a ward of the State of Kentucky, Eugene weighed 17 pounds. Unfortunately, he remained in foster care for almost 9 years and basically became a victim of the system. He got caught up in the system and fell through the cracks, became lost. The social workers weren't really going out as frequently as they should to check on the child. Finally after numerous reports of potential problems Eugene was removed from the home and, with the Chair's permission, I would like to show a picture. Would that be—I'd like to show a picture of Gene.

[Holds up a picture.]

Mr. McDONALD. This is Eugene at age 10. This is after he'd been out of foster care for a number of months and had been renourished. This is a picture of Eugene at the time of his removal, Mr. Chairman. He still weighed only 17 pounds, just under 10 years old.

[Holds up another picture.]

Mr. McDONALD. I think the committee would agree that the photographs that I presented are certainly every bit as horrible as pictures that we see routinely of children in Ethiopia or Byafra starving. This occurred in our community.

I would be less than candid if I were to sit here today and tell you that having a CASA program is going to eliminate every instance of abuse and neglect. That's certainly not true. But I can say, categorically, from personal experience all across the country that it is significantly reducing the occurrences of abuse and neglect.

Children with CASA volunteers have a much better chance of living in safe, permanent homes than children who do not have a volunteer. The Houston, Texas, CASA program conducted a study that clearly demonstrates that children who do not have a volunteer spend an average of 18 months in foster care. Their study further showed that children with volunteers spend an average of 11 months. And, as you can well imagine, that is a very significant time in the life of a young child. Often, that may be one-fourth or one-third of that child's entire lifetime. CASA can clearly reduce the number of times a child is removed or is moved from foster home to foster home.

That same Houston study demonstrated the children who do not have a volunteer assigned are generally moved to at least two or three different placements over a 30-month- period. Of the 75 CASA children in the Houston sample study only 12 moves total for all 75 occurred in the span of one year.

CASA definitely saves tax dollars. The King County, Seattle, Washington, volunteer program estimates that it saves that county's government more than $2,289,000 annually in legal fees alone.

In Florida, where a state-wide CASA program speaks for children, in nearly every court there's been a savings of nearly $300,000 a year in state-supported foster care costs since the program was launched.

CASA is clearly a valuable, and I would emphasize cost-effective, service. CASA volunteers spend an average of 57 hours on each case. With 40,000 children being served by CASA nationally each year, it's 2,280,000 donated hours. If they were paid a minimum wage of just $3.35 an hour, which they are not, that would translate into $7,000,638 worth of service to children, which is now provided free by volunteers.

If this service were being provided by paid attorneys at a rate of $30 an hour, and I don't know of a single attorney that only charges $30 an hour, it would total $68,400,000.

The national CASA association is currently funded under the third and final year of a cooperative agreement from the Office of Juvenile Justice and Delinquency Prevention. We need $2,250,000 to continue to adequately serve the abused children of this country. This anticipated that a full one- third of this figure will be distributed through the national CASA association directly back to local communities, both for the expansion of their existing programs and the initiation of new ones.

A very unfortunate statistic is that, in 1987, 37 communities around the country were unable to begin a CASA program due to lack of funding. I think there's a very high likelihood that at least one of those who were unable to start may well have occurred in your jurisdiction. If the funding requested is approved, this type of lack of funding for local programs will hopefully not occur in the future.

With the Chair's permission I would appreciate the opportunity of supplementing the record with an additional written statement in the near future and I would like to thank you very much for allowing me the opportunity to be present with you today.

[The prepared statement of Tom McDonald follows:]

NATIONAL COURT APPOINTED SPECIAL ADVOCATE ASSOCIATION
DETAILED TESTIMONY BEFORE THE SUBCOMMITTEE ON HUMAN RESOURCES
COMMITTEE ON EDUCATION AND LABOR
U.S. HOUSE OF REPRESENTATIVES
THURSDAY, FEBRUARY 18, 1988
IN SUPPORT OF H.D. 1801 -- REAUTHORIZATION OF THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 1974

Presented by the Honorable Tom McDonald, Judge
Thirteenth Judicial District, Louisville, Kentucky
First Vice President, National CASA Association

SUMMARY

The National Court Appointed Special Advocate (CASA) Association supports the reauthorization of the Juvenile Justice and Delinquency Prevention Act. The provisions of the Act embody federal policy which recognizes the critical relationship between appropriate intervention in child abuse and neglect and the potential for delinquency prevention. The acknowledgment of that relationship in federal policy is critical and has helped encourage vital linkages between disparate systems -- the courts and child welfare services. One such linkage has been developed through establishment of Court Appointed Special Advocate programs.

The National CASA Association is a non-profit organization established to promote the growth and development of programs which utilize trained volunteers to advocate for abused and neglected children in juvenile dependency proceedings. Our volunteer advocacy work is founded on the premise that early intervention coupled with the appropriate and timely handling of a child's abuse or neglect case can prevent child victims from becoming juvenile and adult perpetrators. Our nation's juvenile detention facilities, training schools and adult jails, lock-ups and prisons house many young men and women who were themselves victims of abuse and neglect. Had they received the kind of service and support they needed as victims, they might well be tax-paying citizens today.

With support from the Office of Juvenile Justice and Delinquency Prevention, The National CASA Association has provided training and technical assistance to the growing network of 271 programs in 44 states that utilize roughly 12,000 volunteers to advocate for approximately 40,000 children. Our work has helped thousands of children find permanence and stability in their lives at substantial savings to the public. Court Appointed Special Advocates or guardian ad litem volunteers help assure that judges receive sufficient information on which to base their decisions by conducting interviews of all parties involved -- the child, his parents and relatives as well as teachers, counselors,

ministers; act as a spokesman for a child's best interests; and monitor a child's case to help insure that services are provided in a timely fashion and that deadlines are followed.

The number of CASA programs around the country has grown exponentially since the founding of the first program in 1977. The growth of programs has been particularly dramatic since juvenile justice dollars were targeted to program support and development as early as 1984. The number of programs has more than tripled over that timeframe (from 88 in 1984 to 271 in 1988) and the number of states having programs has increased from 29 to 44. Yet as dramatic as our growth has been, we cover only about 8% of the almost 3,000 potential jurisdictions and serve approximately 14% of the estimated number of children in care. Interest in program development continues to grow. It is vital that resources generated under the provisions of the Juvenile Justice and Delinquency Prevention Act be specifically targeted to the development of programs both to sustain current efforts and to meet the burgeoning need. The provisions of that Act are perhaps the single most important recognition in federal policy of the vital link between appropriate intervention in child abuse and the prevention of juvenile delinquency. Thus its reauthorization is critical for maintaining federal focus and concern regarding assistance to our nation's most vulnerable population -- child victims.

DESCRIPTION OF THE PROBLEM

In 1985, there were 1.9 million reports of child abuse and neglect in the United States -- roughly 16% end up in the court. The court must then decide what's best for the child -- is it safe for the child to go home, should he be placed in foster care, are special services needed? These are awesome decisions that can impact a child for the rest of his life. For some 270,000 children is this country, the decision has resulted in their placement away from home in foster care or an institutional setting. Numerous studies show that returning abused and neglected children to stable, permanent families can assist in preventing delinquency. Unfortunately, the abused and neglected children who end up in juvenile courts often become part of the costly "foster care drift."

In theory, foster care is designed to be a temporary arrangement, the family separated only for the period necessary to better the situation for the child. But in reality, many of the approximately 270,000 children in the foster care system spend their childhood drifting from foster home to foster home due to a system which fails to either reunite them with their families or expedite permanent placement. Some children literally grow up in the child welfare system. A childhood of such uncertainty and insecurity can have devastating results making children potentially vulnerable to many of our nation's most serious social concerns -- drug abuse, teen pregnancy, mental illness,

homelessness. A tragic irony is that many become abusive parents themselves thus perpetuating a vicious cycle.

Unfortunately, others become perpetrators. There is a substantial relationship between child abuse and neglect and juvenile delinquency. Recent studies have shown that 33% of juvenile delinquents suffered from severe abuse, and that 66% of child abuse histories involved a "parent perpetrator."[2] The major cause of crime in the United States is juvenile delinquency. In 1975, 61.5% of those arrested for serious crimes were under 21, 43.1% were under 18. The 11 to 17 year old age group, which is 13.2% of the nation's population, was responsible for 48% of the arrests for property crimes in 1975. Young offenders have higher recidivism than any other age group. The Children's Bureau estimates that one in every nine youths (one in every six male youths), will be referred to juvenile court for a delinquent act before his/her 18th birthday. The costs of both adjudication and incarceration are high. (Costs range from $8,000 to $30,000 annually to keep a delinquent in a juvenile facility.)[3]

Statistics on the relationship between sexual abuse and prostitution are also revealing. Studies show that juvenile prostitutes had experienced more sexual advances by adults and were more often victims of incest and rape than other juveniles.[4] Between 40% and 50% of the reported sexual offenses against children are committed by juveniles.[5] Experts see a relationship between sexual molestation, lack of parental support, and a career of prostitution. "Abusive sexual experiences may have a significant impact on the victims' developing self-identity and this may relate to the development of adult patterns of female sexual or occupational deviance such as prostitution."[6] Even if a sexually abused child avoids the downward spiral of juvenile prostitution, studies show that sexually victimized children in general have poorer concentration and are more aggressive, withdrawn, antisocial, depressed, fearful, nervous and emotional.[7]

The best interests of the child too often get sidetracked in the current juvenile justice system. Due to enormous case loads and financial restraints on social workers and juvenile court personnel, the process fails to expedite children toward any stable resolution, whether it be returning home to the natural parents or being freed for adoption. One study of 4,000 children in the foster care system predicted that more than half of them would be "living a major part of their childhood in foster families and institutions."[8]

An examination of the roles of the parties involved in juvenile court proceedings reveals the cause for a lack of adequate representation of the child's best interests. The goal of the attorney for the State or state agency is to prove the allegations in the petition. The attorney for the parents has an ethical obligation to represent them zealously. The social

perspective to the judge which was unfettered by bureaucratic loyalties or professional biases. And, many times they brought continuity -- they were the consistent face in the courtroom over the life of the child's case in court.

In the Seattle program's first year, it assigned 110 trained volunteers to 498 children. The next year, the National Center of State Courts selected the Seattle program as the "best national example of citizen participation in the juvenile justice system". Support for the program concept grew and programs began to develop around the country.

The American Bar Association advocates the use of qualified and trained non-attorney guardians ad litem, recruited from concerned individuals and organizations in the community on a paid or volunteer basis. The ABA's Juvenile Justice Standards Project found in 1976 that "While independent representation for a child may be important in protective and custodial proceedings, a representative trained wholly in the law may not be the appropriate choice for this function."[10]

In Deprived Children: A Judicial Response, the National Council of Juvenile and Family Court Judges' Metropolitan Court Judges Committee made 73 recommendations to ameliorate the problems of deprived children who require public custody and protection. The fifteenth recommendation states that CASAs should be utilized by the court at the earliest stage of the court process, where necessary, to communicate the best interests of an abused or neglected child.

EFFECTIVENESS OF THE PROGRAM

The advocacy CASAs provide to children and the courts translates into: 1) public savings; 2) literally millions of valuable hours of volunteer service; 3) quality representation for children; and, most importantly, 4) better services for children.

1. Public Savings

An independent research firm studying a Florida statewide pilot Program over three years concluded "that a volunteer Model is likely to be the most feasible, least expensive, and most effective means of providing guardian ad litem services to Florida's abused and neglected children."[11] The impact of recommendations made by volunteer guardian ad litem resulting largely from their thorough investigation of placement options, meant less intrusive service for children and dollar savings for the state. For example, "in 45% of 623 cases researched, volunteers recommended placements in less expensive, alternative care settings while awaiting court disposition. This resulted in a decrease in state-supported foster care costs between $200,000 and $300,000 in 1980."[12]

4. Better Service to Children

The true bottom line is the impact of CASA volunteer efforts on the children served. Several case examples lend meaning and poignancy to the numbers and statistics quoted.

- An 11-year-old girl, severely abused by her mother's live-in boyfriend, wanted to return home but was afraid. The CASA volunteer's efforts helped prepare the girl for her testimony and brought about a more prompt trial date. The boyfriend was ordered out of the home under threat of a long prison sentence. The mother, thankful both to be rid of the man and to get her daughter back, openly praised the CASA volunteer's work.

- An eight year old Texas boy, found in winter barefoot and shirtless at a fire station, had been sodomized by his step-father. The mother, who displayed borderline pathological behavior, refused to acknowledge that abuse had occurred and clearly chose her husband over her child. Her explosive behavior brought about efforts to terminate her parental rights. Mixed messages about other siblings prompted a tenacious CASA to check birth and marriage records through a CASA in another program. The father, presumed dead, was located and reunited with the son he'd been searching for for six years -- even with the aid of the F.B.I.

There are even more dramatic examples, far too detailed for this discussion. Such examples are documented daily by CASA programs -- cases resulting in family reunification, successful adoptions, implementation of specially needed services, and finding safe, stable living environments.

Research on the human savings however, is more elusive. The Houston, Texas program has implemented a sophisticated evaluation system. Preliminary results suggest that CASA can, in some cases, reduce the amount of time a child spends in foster care. In Houston the average out of home placement is 18 months. By comparison, children who have volunteers assigned spend 11 months in foster care. CASA can reduce the number of times a child is moved while in placement. In Houston, the average child in dependency is moved 2 1/2 times over a 30 month period. Out of the Houston program's caseload of 75 children at the time of the study, only 12 moves had occurred since the record keeping was initiated approximately a year ago.

In Florida, Rhode Island and King County, Washington, programs have been able to demonstrate that volunteers can provide effective advocacy for children at substantial savings. Another Florida study found that the actual cost of a volunteer guardian ad litem (GAL) averaged approximately $332 per case in fiscal year 1982. The cost for services of an attorney GAL ranged from $371 for that provided by a Public Defender to $761 provided by a private attorney. The King County program estimated a savings to the county of over $2,289,000 in 1986. Rhode Island has demonstrated comparable savings.

2. Volunteer Service

In a management study conducted by the National CASA Association with funding from the Department of Health and Human Services, it was found that volunteers spend an average of 57 hours per case. Some crude figuring based on our estimate of 40,000 children served yields over 2,280,000 volunteers hours of service to children. If these volunteers had been paid a minimum wage ($3.35), that translates into $7,638,000; if paid at a $100 per hour rate (a common price for legal service) that's $228,000,000 worth of advocacy for children.

3. Quality Representation

An increase in the quality of representation for children through the use of trained advocates was demonstrated in a study performed by Donald N. Duquette and Sarah H. Ramsey in the Genesee County (Michigan) Juvenile Court in 1981 and 1982. Their study compared the effectiveness of representation between a control group of attorneys with no special training and a demonstration group of attorneys, law students and volunteers who received special training. The demonstration group outscored the control group in all categories. For example, it was found that for the demonstration group:

- The court process moved faster (mean of 34.9 days vs. 60.6 days for the control group);
- the cases were resolved with fewer hearings (2.6 vs. 3.1);
- more cases were diverted from the court process by being resolved in the preliminary hearings (27.3% vs. 14.3%);
- the cases had fewer dispositional hearings (35% vs. 60%) and produced fewer wards of the court (39% vs. 62%).

The authors attribute this outcome to "more careful assessment, screening and diversion of cases by the demonstration groups and perhaps to more watchful advocacy on behalf of a child once made a ward of the Court." Duquette and Ramsey conclude from this data that the demonstration model was clearly successful in improving the quality of representation of the child's best interests and, consequently, in creating better legal outcomes.[13]

THE NATIONAL CASA ASSOCIATION'S ROLE

Dedicated to the growth, promotion and development of CASA programs nationwide, the National Association has:

- Provided start-up grants for new programs (in 1987 the Association utilized $20,000 of OJJDP funds for new programs and received a $150,000 grant from the Edna McConnell Clark Foundation to be passed entirely to developing programs);
- Trained program managers in such areas as volunteer recruitment and retention, fundraising, staff management, etc. (in 1987, 180 program directors received training through the five Regional Management Training Seminars);
- Sponsored its sixth National Conference attracting program directors, volunteers, judges and other child advocates from around the country.
- Published a quarterly newsletter, The Connection which keeps the network informed regarding new innovations, laws effecting programs and issues of concern to volunteers -- and we published Feedback which provides timely information alerts to our local programs on topics such as funding opportunities;
- Established a clearinghouse including prize winning materials from CASA programs, sample legislation, and other resources needed by the network;
- During a six month perior, the Association provided technical assistance and consultation to over 180 requests from people starting programs and from program directors needing assistance with special problems; responded to over 350 inquiries about our volunteer work from the general public; and gave basis information to 56 people interested in implementing a program.
- Promoted the CASA concept by providing speakers and faculty for meetings held around the country, and by encouraging articles and programs in national media (Redbook, Modern Maturity, National Public Radio) to spread the word about how CASA volunteers are helping abused and neglected children.
- Developed specialized publications -- Legal Liability Report and a new manual on program development.

The National Court Appointed Special Advocate Association was founded in 1982 to promote the growth of CASA programs and to provide a mechanism for the exchange of resources and

information. Supported by the Edna McConnell Clark Foundation and the National Council of Juvenile and Family Court Judges, the Association hosted its first national conference in 1983. In 1984, the Association incorporated as a non-profit membershiporganization, and received assistance from the Child Development Foundation, IBM and the U.S. Department of Justice's Office of Juvenile Justice and Delinquency Prevention (OJJDP).

1985 was an eventful year, as the Association received the President's Volunteer Action Award, a Coordinated Discretionary Grant from the Department of Health and Human Services for a management survey, and negotiated a three year cooperative agreement with the Office of Juvenile Justice and Delinquency Prevention to provide technical assistance and training to the growing network of programs.

In addition to its ongoing support, the Edna McConnell Clark Foundation awarded funds in 1987 to allow the Association to provide start-up grants to 30 new CASA programs. Kiwanis International selected CASA as one of its major emphasis programs for 1987.

Since the first program was established in Seattle, in 1977, the number of CASA programs has grown exponentially, with most of that occurring since the National CASA Association was established in 1982. There are currently over 271 programs operating in 44 states, five of which (No. Carolina, So. Carolina, Florida, Rhode Island, and Delaware) mandate and fund state-wide programs. More than 12,000 volunteers serve over 40,000 children annually.

FUTURE NEEDS

The Association's membership and services continue to grow; new programs are starting up at a rate of approximately four per month. Yet, there are still over 2,700 jurisdictions in the country with no CASA program and approximately 230,000 children in need of a volunteer.

The Board of Directors of the National Association has established an ambitious goal -- to assure that a CASA be appointed for every child who needs one by the year 2000. We need then to establish almost 230 new programs a year and serve and additional 19,200 children each year for the next 12 years! To accomplish this goal, the Association has established three basic objectives:

- To promote the development of new programs
- To support existing programs
- To enhance our clearinghouse and distribution of information

Since receipt of funding from the Office of Juvenile Justice and Delinquency Prevention, the number of CASA programs has more than tripled from 88 in 1984 to 271 in 1988. Our network has continued to grow at a rate of four new programs per month. Yet, funding to support those programs has remained constant over the last three years. Thus, in order to assure continued service to existing programs and to insure institutionalization of the CASA concept around the nation through program development, the National Court Appointed Special Advocate Association is respectfully requesting that the Subcommittee give consideration to a specifice authorization within the Juvenile Justice and Delinquency Prevention Act for support of the National CASA Association's volunteer advocacy efforts on behalf of abused and neglected children. In light of our dramatic growth over the past three years and in recognition of our substantial savings to the American public, we further request an increase in funds for a total authorization of 2.25 million dollars for each fiscal year reauthorized.

FOOTNOTES

1. Mnookin, Robert H. Child, Family and State, 519, Boston: Little, Brown and Company, 1978.

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Indiana
Court Appointed Special Advocates/
Guardian Ad Litem
Program Statistics

Program/Director	# of Volunteers	# of Children Served in 1987	# of Years Program Has Been in Existence
Floyd Co. CASA 702 E. Market New Albany, IN Janet Reed	5	1	1/2
Allen Co. CASA 2929 Wells St. Fort Wayne, IN Rex McFarren	46	120	2
Vanderburgh Co. CASA 609 S.E. 2nd St. Evansville, IN Linda Owen	45	45	3
Clark Co. Vol. GAL Clark Sup. Ct., No. 1 Probation Dept. City-Co. Bldg., Rm. 249 Jeffersonville, IN Patti Ferry	14	N/A	2
Martin Co. CASA 406 Church St. Loogootee, IN James Lex	6	16	2
Morgan Co. Cir. Ct. CASA 2108 Foxcliff North Martinsville, IN Kay Tauer	14	42	2
Youth Serv. Bur. CASA 2222 Lincolnway West South Bend, IN Florrie Nelson	6	15	1/2
Knox Co. GAL/CASA Proj. Children & Family Serv. P.O. Box 241 Vincennes, IN Kay Niehaus	22	35	2
CASA Program of Howard Co. 1215 W. Sycamore Kokomo, IN Susan Marson	21	50	2

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Program/Director	# of Volunteers	# of Children Served in 1987	# of Years Program Has Been in Existence
Foster Care Serv. CASA Proj. (LaGrange, Noble & Steuben counties) 215 East Ninth St. Kruse Building Auburn, IN Kathy Owen	23	42	2
CASA Program Child Abuse Prev. Serv. 901 West Hively Ave. P.O. Box 773 Elkhart, IN Amy Evans	30	49	4
Bartholomew Co. Youth Advocacy CASA Program 724 Franklin St. Columbus, IN Eileen Bennett	12	30	1
GAL (Lawrence County) McIntyre & McIntyre 1522 "I" Street Bedford, IN Bill Sleva	9	N/A	N/A
Shelby Co. GAL Project Shelby Cir. Ct. Courthouse Shelbyville, IN Emma Horner	15	30	4
Total	268	475	

Programs Not Reporting:

NCJW GAL Project, Indianapolis
Monroe County GAL, Bloomington
Lake County CASA, Gary
Pike County CASA, Petersberg
Vigo County CASA, Terre Haute

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Iowa
Court Appointed Special Advocates/
Guardian Ad Litem
Program Statistics

Program/Director	# of Volunteers	# of Children Served in 1987	# of Years Program Has Been in Existence
Iowa CASA Program 3rd Jud. Dist. (Woodbury, Sioux & Plymouth counties) Office of State Ct. Admin. State Capitol Building Des Moines, IA Theresa Hindley	25	49	2
CASA Program 5th Jud. Dist. (Polk, Warren & Marion counties)Big Brother/Big Sisters 1512 Pierce St. Sioux City, IA Sandra Uhl	60	55	2
Total	85	104	

Michigan
Court Appointed Special Advocates/
Guardian Ad Litem
Program Statistics

Program/Director	# of Volunteers	# of Children Served in 1987	# of Years Program Has Been in Existence	
Washtenaw Co. CASA 2270 Platt Rd. Ann Arbor, MI Stan Harbison	42	44	2	
Antrim County Probate Court CASA Program P.O. Box 276 Bellaire, MI Betty Daugherty	none*	5	6	2
Genessee Co. GAL 6577 Rustic Ridge Trail Grand Blanc, MI Deborah Marble	10	52	3	
Child Advocate Program Ottowa Co. Juv. Court 414 North Washington Grand Haven, MI Keith Van Tubergen	20	35	7	
Kent Co. Juv. Ct. CASA 1501 Cedar NE Grand Rapids, MI Ron Apol	2*	2	2	
Dickinson Co. CASA Dickinson Co. Courthouse Annex Iron Mountain, MI Celeste Calo	4	7	1	
Kalamazoo Co. CASA Kalamazoo Co. Juv. Court 1400 Gull Road Kalamazoo, MI John Ray	46	140	6	
Juv. Ct. Vol. Serv. CASA Berrien Co. Juv. Court St. Joseph, MI Donna Sickels	7	38	2	

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Program/Director	# of Volunteers	# of Children Served in 1987	# of Years Program Has Been in Existence
CASA Program Oakland County Chapter NCJW 30233 Southfield Rd., #100 Southfield, MI Joy Nachman			9
Grand Traverse Co. CASA Probate Court 400 Boardman Avenue P.O. Box 552 Traverse City, MI Ann Mapes	12	40	7
Total	148	364	

Programs Not Reporting:

Oakland County CASA Program

Missouri
Court Appointed Special Advocates/
Guardian Ad Litem
Program Statistics

Program/Director	# of Volunteers	# of Children Served in 1987	# of Years Program Has Been in Existence
CASA/NCJW St. Louis County Juv. Court 501 South Brentwood St. Louis, MO Patricia Clancy & Theresa Nelson	84	142	8
CASA Platte Co. Juv. Office Box 1194 Platte City, MO Anne Peterson	12	12	5
Clay County Juvenile Justice Center P.O. Box 157 Liberty, MO	30	131	4
Total	125	295	

Programs Not Reporting:

Camden Co. CASA Program
CASA of the 17th Judicial Circuit
NCJW Greater Kansas City CASA Project
Clay County Juvenile Justice Center
Buchanan County CASA Program
Volunteer GAL Project (St. Louis)

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New York
Court Appointed Special Advocates/
Guardian Ad Litem
Program Statistics

Program/Director	# of Volunteers	# of Children Served in 1987	# of Years Program Has Been in Existence
CASA of Ulster County 209 Clinton Avenue Kingston, Ny Mel Sadownick	8	14	1/2
Orange Co. CASA 4 East Main St. P.O. Box 520 Middletown, NY Robert Poisella	13	54	1
CASA Manhanttan Family Crt 60 Layfayette St. 8th Floor New York, NY Joan Christos	35	1400	8
CASA Family Court Hall of Justice Monroe County Room 300F Rochester, NY Laurie Holmes	21	150	6
CASA of Oneida County Oneida Co. Courthouse Utica, NY Amy Crumrine	12	10	1
Total	89	1628	

Programs Not Reporting:

Rockland CASA
Nassau County CASA

Ohio
Court Appointed Special Advocates/
Guardian Ad Litem
Program Statistics

Program/Director	# of Volunteers	# of Children Served in 1987	# of Years Program Has Been in Existence
CAL Program County of Summit Juv. Court 650 Dan Street Akron, OH Mimi Surioff & Joan Sorso	57	195	6
Friends of Children CAL Program Stark County Family Crt 209 West Tuscarawas Canton, OH Betty Blake	38	234	5
ProKids Aims & Dequine Bldg Suite 201C 222 E. Central Parkway Cincinnati, OH Dayle Deardurff	45	73	6
Vol. CASA/GAL of Lucas County 430 N Michigan Toledo, OH Diane Nugent	75	525	6
CAL Project 1361 E 22nd St. Cleveland, OH Phyllis Cohen		641	6
		1027	

Mr. KILDEE. Thank you very much, judge.

The record will be kept open for two weeks for additional submission.

Mr. MCDONALD. Thank you, Mr. Chairman.

Mr. KILDEE. Ms. Gary.

Ms. GARY. Thank you.

STATEMENT OF DONNA GARY, NATIONAL BOARD MEMBER, NATIONAL COUNCIL OF JEWISH WOMEN, FAIRFAX, VA

Ms. GARY. I am Donna Gary, Chair of the National Council of Jewish Women's Washington Action Committee and a member of the NCJW's national board. The National Council of Jewish Women appreciates the opportunity to testify today.

I have submitted written testimony which I request be entered in the record.

Mr. KILDEE. Yes, without objection it will be included.

Ms. GARY. Thank you, sir.

Our involvement in juvenile rights and justice issues has included surveys of the juvenile justice system and the youngsters it serves, volunteer projects to serve these young people, and support for the JJDPA and its mandates. Indeed, one of the achievements of the act has been the inclusion of community-based and volunteer organizations, such as NCJW, and juvenile justice policy and programs.

We have actively supported the JJDPA since its inception and have urged funding levels that would enable the Office of Juvenile Justice and Delinquency Prevention to implement the intent and mandates of the act.

Today we are here to support reauthorization of the JJDPA as amended by H.R. 1801. We commend the successes of the act and those responsible for putting it into action.

None the less, NCJW has concerns in three areas. The first relates to our commitment to the total removal of juveniles from adult jails and lock-ups. The second focuses on the resources needed to accompany the mandate for the deinstitutionalization of status offenders. And the third concern relates to the disproportionately high incarceration rate of minority youth, as you have already heard today.

Although many States have made progress towards ending the jailing and locking-up of children with adults, a number have not complied sufficiently with the jail removal requirements for formula-grants set up by amendments to the 1980 reauthorization, and thus will not receive their formula allotment for fiscal year 1988.

Although we recognize the value of such incentives, we also recognize that States may have made serious efforts to comply but were unable to do so because of many factors, such as the number of youngsters involved, the inaccessibility of large isolated areas, and insufficient funds to maintain juvenile facilities.

Progress has been made by States which have not yet achieved substantial compliance. NCJW urges the subcommittee to consider ways to enable such States to continue participation in the JJDPA jail removal mandate. In addition, we hope that the subcommittee will consider the fiscal problems faced by States in attempting to

provide sufficient facilities and personnel to address the needs of youth in custody.

Although the number of minority youth arrested between 1977 and 1983 decreased, the numbers of those incarcerated rose. Increasingly, white youth diverted to private institutions while minority youth are remanded to the most secure public institutions. The reasons for this disparity must be studied with emphasis on the availability of community-based preventive and alternative resources to minority communities.

NCJW members serving on State advisory groups around the country have informed us that programs for deinstitutionalization of status offenders have been most successful. None-the-less, much work needs to be done. And in time when there is a dearth of funding status offenders need a variety of community-based resources and programming. Such services are generally made available only after a crisis, or after a youngster's brush with the law. NCJW recommend's that community services reach out to schools and families to respond to children's needs before a crisis. We suggest a strong emphasis on prevention and early intervention programs at JJDPA.

Through our work with broad-based community groups, we see what can be accomplished in response to the needs of youth before the juvenile justice system. We look forward to continuing efforts enabled by JJDPA mandates and their support to the local-State-national coalitions serving the troubled youngsters of our nation. Thank you.

[The prepared statement of Ms. Donna Gary follows:]

Committee on Education and Labor
Subcommittee on Human Resources
House of Representatives
Hearing, February 18, 1988
Reauthorization of the Juvenile Justice and Delinquency Prevention Act

Testimony of Donna Gary
National Board Member
National Council of Jewish Women

The National Council of Jewish Women appreciates this opportunity to present testimony in behalf of H.R. 1801, to reauthorize the Juvenile Justice and Delinquency Prevention Act through 1992. I am Donna Gary, Chair of the National Council of Jewish Women's Washington Action Committee and a member of the National Board.

The National Council of Jewish Women has been concerned with juvenile rights and justice issues since its founding in 1893. More recently, since 1970, we have been deeply involved with juvenile justice: in surveys of the system and the youngsters within it, in hands-on volunteer projects to serve such youngsters, and likewise, in support of the JJDPA and its mandates. Indeed, one of the achievements of the Act has been a broadening of the constituency of those responsible for juvenile justice policy and programs to include community-based and volunteer organizations. Under the Act's mandate many of our members nationwide have served on State Advisory Groups.

As a member of such groups as the Ad Hoc Coalition on Juvenile Justice as well as in widespread citizen efforts, NCJW was active in the effort to secure passage of the Act in 1974, and its subsequent reauthorizations in 1977, 1980 and 1984. We have also been concerned about appropriations for the Act, seeking to maintain funding levels that would enable the OJJDP to implement the intent and mandates of the Act.

We support reauthorization of the JJDPA as ammended by H.R. 1801 because it has been beneficial to at-risk youngsters and to those within the juvenile justice system. We commend the successes of the Act and the leadership of those responsible for putting it into action throughout the country. Nonetheless, there are concerns that we would urge the Subcommittee on Human Resources to address during this reauthorization process. Our concerns fall within three areas. The first relates to our commitment to the total removal of juveniles from adult jails and lock-ups. The second focuses on the resources needed to accompany the mandate for deinstitutionalization of status offenders. The third concern relates to the disproportionately high incarceration rate of minority youth.

Although many states have made great progress towards ending the jailing and locking-up of children with adults, a number of states have not complied substantially with the jail removal

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requirements for formula grants set up by ammendments to the 1980 JJDPA reauthorization. Such states are not eligible to receive their formula allotment for Fiscal Year 1988. Although we recognize the value of firm financial incentives, we recognize, on the other hand, that states may have made serious efforts to reach compliance but were unable to do so because of a variety of factors such as the number of youngsters with whom they work, the inaccessiblity of large isolated areas, and insufficient funding to provide and maintain juvenile facilities. Moreover, the baseline for the determination of substantial compliance is the number of juveniles in adult jails in 1984, as compared to the number today. If, as in the case of New Jersey, the base line figure, at 27, is low to begin with, the state's reduction to 13 would only indicate a 52% movement towards full complaince. Whereas a state with a baseline of 12,353 youngsters in adult jails which still has 3,140 youngsters incarcerated with adults has achieved substantial compliance at 74.58%.

Progress has been made in legislation, alternative facilities and programming, by states which have not yet achieved substantial compliance. NCJW urges the Subcommittee to consider possible mechanisms and language to enable such states to continue to participate in the JJDPA jail removal mandate. In addition, we hope that the Subcommittee will consider the fiscal problems faced by states in attempting to provide sufficient well-planned facilities to prevent overcrowding and demorali-

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zation and the well-trained personnel to address the treatment, vocational and educational needs of the youngsters in custody.

The number of minority youth confined in correctional facilities exceeds, in great measure, their proportion in the general population. Although the number of minority youth arrested between 1977-1983 decreased, the numbers of those incarcerated increased. Although, increasingly, white youth are diverted to private institutions, minority youth are remanded to the most secure of the public institutions. There is a real necessity to study the reasons for this disparity with emphasis on the availability of community-based preventive and alternative resources to minority communities. Social factors, such as unemployment and community reactions to minority delinquency, also need study in order to understand and thus initiate effective steps to reduce the large numbers of minority youth in the juvenile justice system.

NCJW members who serve on State Advisory Groups around the country have informed us that programs for the deinstitutionalization of status offenders have had remarkable success. Nonetheless much work remains to be done; deinstitutionalization is only as good as the programs that back it up. Youngsters before the court as status offenders need community-based resources and programming: support systems, vocational training, educational programs, residences, group homes, therapy. Such programs cost

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money; the State Advisory Groups on which our members serve report a dearth of funds for development, maintenance and training of community-based resources for status offenders.

NCJW Sections throughout the country have initiated more than 100 community service projects providing alternatives to institutionalization, such as group homes, crisis centers, Youth Service Bureaus, and school assistance programs. These projects have given NCJW insight into the needs and problems of troubled youth. Even more, they have given NCJW insight into the important role such alternative programs play in turning around the lives of troubled youth. We urge continuation of efforts in the JJDPA to increase the availability of community-based programs and services aimed at diverting juveniles from detention facilities. At the present time, runaway centers are a pressing need. According to the National Network of Runaway and Youth Services, over 50% of runaways today have been physically or sexually abused, most often by a parent. The NCJW Court Appointed Special Advocate (CASA) Program, participated in by more than 30 NCJW Sections over the past nine years, seeks to address the problems of abused and neglected children, to insure permanent, safe and wholesome placements.

Community services are generally made available only after a crisis or after a youngster has come into contact with the law.

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This places additional stigma on the youth who seeks help. NCJW recommends that community services also reach out to schools and families to respond to children's needs before they warrant court attention; a crisis, arrest or court mandate should not be the entry to service. We suggest that the Subcommittee place strong emphasis in the JJDPA on prevention and early intervention programs.

NCJW is firmly committed to working in coalitions on the local level in advisory groups and in hands-on volunteer alternative community-based projects. In working with broad-based community groups we see what can be accomplished in response to the needs of youth before the juvenile justice system. We also recognize the enormous benefits provided by the guidance, training, and support to states and local communities by the Federal government through the JJDPA. We look forward to continuing efforts enabled by JJDPA mandates and their support to the local-state-national coalition to serve the troubled youngsters of our nation.

Mr. KILDEE. Thank you, very much.

Our next witness is Ronald Williams, Executive Director of Covenant House.

Please give my regards to Father Bruce Ritter. Father Ritter and I have a similar background. I spent six years in the Roman Catholic Seminary, I left two years before ordination. And Father Ritter, of course, is able to and does serve children more immediately and directly. In my position I guess I do it less immediately and less directly, but please give him my regards.

Mr. WILLIAMS. I will do so, Mr. Chairman. And I thank you and assure you that I have nothing in common with yourself or Father Ritter [laughter] as I worked with a rabbi before joining Father Ritter's work with his runaway and homeless kids.

STATEMENT OF RONALD L. WILLIAMS, EXECUTIVE DIRECTOR, COVENANT HOUSE (UNDER 21), NEW YORK, NY

Mr. WILLIAMS. Mr. Chairman and members of the subcommittee, I thank you, very much, for the invitation for representatives of Covenant House to be here, specifically Covenant House, New York. I am the Executive Director of Covenant House, New York.

And I think I should mention that I also represent, as President of the Empire State Coalition of Youth and Family Concerns, over 26 member agencies who also work with runaway and homeless youth. We also work very closely with the Garden State Coalition, and combined with Puerto Rico, that would make up Region II of your Federal District, and also Region II of the National Network of Runaway and Youth Services, that we work very closely with.

I would like to focus my remarks briefly on one part of the JJDP act, specifically title III—I'm sure that's no surprise—dealing with runaway and homeless youth, the young people that I have the real privilege, and sometimes horror, of dealing with on a day-to-day basis on the streets of New York. And, as I mentioned, I'd like to keep it brief and refer specifically to the testimony for more detail. And if there are any additional questions that are raised I would be more than happy to introduce anything else in writing at a future date.

Just briefly, background on Covenant House. You've mentioned Father Bruce. He is the founder, father so to speak, of Covenant House at over seven sites right now in both North America and Central America. We shelter more than 1,000 youths a night in the program. It's not a very happy plight and we wish the business was not as well.

He started out about two decades ago. And Mr. Chair, I should mention—I don't know if you're aware—Father Bruce was diagnosed with Hodgkin's disease this summer. And I guess if you're going to have cancer that is the one to have because it is very treatable. And as of the first of the year, the doctors have said it is in complete remission, no sign of the tumor. The only thing that irritates him at this point is that for prevention, which he's not good at, because he doesn't like to stay at home, they are insisting on six more months of chemotherapy. I assure you that I pray as hard as everybody being based in New York for his speedy, speedy

recovery before seven sites become eight sites, in terms of caring for kids.

Each one of our programs, our residential programs, that services kids has a very core component. It's due primarily to a very basic philosophy of open intake. We do not want to wait when a young person wants to come into the program. You cannot do that with street kids. They are so used to contractual relationships on the street. Covenant House refers to a mutual relationship built on love and trust. And when a young person wants to come in he or she should be admitted to the program as immediately as possible.

Our Crisis Center in New York, unfortunately, last night had over 350 young persons staying there. Now, I don't mind saying publicly that that is far out of compliance with the licensed capacity by the State Department of Social Services for institutional child care that we are authorized to be, at 115 beds. The difference is that every safety and health code is met. You would sleep there. I would sleep there. That's how I judge whether or not a program is a place that we would want one of our young persons, be it our own sons or daughters, to enter. But, in terms of licensing capacity, we are limited to 115 beds.

We do sleep a large number, obviously, of young persons on couches in the lounges in every floor of the program. We have recently moved more staff out of our major building at 41st and 10 so that we can open up more service areas. Our bottom line is we don't want to close the door. There are many people who would like us to close that door, just so that we could meet codes. One of the advantages of being with a leader like Father Bruce is he puts kids first and doesn't always ask how we're going to do it but says your going to do it.

The Crisis Center for all those 350 people that come into our New York program—and not all the other sites are as large—provides immediate legal services for many of the young people in the city of New York that need it. And we have a licensed diagnostic health center with seven physicians available, including a full nursing staff, to meet the immediate health needs of the young people coming into our program. 60 percent, not 100 percent, of all the young persons entering the New York program do go through our health services program.

I said there were three main components at each Covenant House program. The Crisis Center is obviously the key. That is our emergency room. That's how we keep kids alive. We don't claim to do a whole heck of a lot more than keeping them alive. One out of three kids who come into the program make it beyond staying alive, and maybe will be hooked up with a family member, ideally, or at least in a more independent situation within a short period of time staying with us.

That frustration, obviously, has caused us to look at some other alternative means of programming for the kids, because when I said we had 350 a night, that represents 10,000 admissions a year in New York alone. And unfortunately, it's growing. We thought we were going to have some stabilization of the population last year, but then the crack epidemic just hit wide open, and kids are just hanging out all over the streets. We are doing things that we never did before. We are admitting young people to the program

that we never had a year ago. Sometimes they might be high and coming down from drugs and alcohol, but rather than have them sleep and/or die on the streets we are letting them into our lounge with major, major supervision. There are not programs available for immediate entering into in terms of drug and alcohol detox.

To try to keep ourselves there, because I wanted to work with Father Bruce a little bit longer before I burn down, and because we wanted to do so much more for this increasing population of young people, we did something out of kilter for Covenant House. We started something on a pilot basis, very small and very logical and common sense.

We spoke to a lot of our kids and we said, how can we get you out of this vicious cycle where only one out of three of you are making it out of the system within the first or second visit here at Covenant House? We looked at the basic issue that we were dealing with. Our major population is 18, 19, and 20. The major issue is they don't have a place to live. And if they do have a place to live, they don't have meaningful employment, meaning entry level job with some type of career track that would support them in that living arrangement.

We have started on a small basis a pilot program, very simple, nothing extravagant about it. First for 25 young men and then, recently in the spring, for 30 young women, half of whom have infants. A program called Rights of Passage, basically the right of the adolescent to pass from adolescence to young adulthood without experiencing all the ravages of the street by providing at Covenant House, in separate quarters, living arrangements for up to a year and a half rather than crisis care. A guaranteed job with—it's entry level, but with a guaranteed career track--provided by the private sector, an unbelievable response from the private sector in the city of New York who is initiated by Wall Street. It has been further carried on by the trade unions and other industries in Wall Street. We'll recuperate, I'm sure.

The trinity of the whole program, the piece that ties it all together that is, each young person, in addition to having a guaranteed place to live for a year and a half and a job that is meaningful, they have a mentor, a successful business person or successful person in their chosen career who latches on to this young person on a weekly basis for lunch, for dinner, and keeps helping them, pushing them up over the hump and makes sure that they make it.

The Rights Program is absolutely a relationship program. There's a lot of bleeding that goes on. Our commitment is to make it work. The bottom line, in very short order 8 out of 10 young persons entering that longer-term program, rather than the crisis experience, are making it and getting full employment beyond a year, and are becoming taxpayers in the system. And they're not coming back to the center.

That recently led us to take, what some of you might have read about in the New York Times, on his honor, in New York City most recently this summer, when Father Bruce was bored because he had to stay home and listening to a lot of us in terms of what we needed to provide for these young people coming to the Crisis Center, we indicated that we needed literally hundreds, and hundreds of beds city-wide like the Rights of Passage program. And out

of the clear blue sky comes the National Maritime Union Building for sale in the Chelsea area of New York. The only irony about it was that the mayor also wanted it—the difference being that he wanted to house 800 homeless adults and about 400 work-release prisoners from Ryker's Island. It was the first time in the history of my experience at Covenant House that the community board vehemently supported Covenant House. It was kind of nice to be the lesser of two evils [laughter] and the mayor's resistance created some very positive public relations for us.

As of the first of January we are the owners, or shall we say the debtors, of a $33 million National Maritime Union Building. And I should explain the reason why we went after it was that it has 11 stories of dormitory space in one building that they used to retrain seamen in. Right next door to it is a building that has a full gymnasium, health club, a thousand seat auditorium, four floors of classrooms including a very unique kitchen arrangement that will be appropriate for our use. And we will, starting next week, following in Covenant House tradition, open the Rights of Passage program which really is modeled as an academy for street kids, a junior college for street kids, to more permanently reconnect these disconnected kids to societal values. And we predict that within two years we will be able to house comfortably no more than 300 young men and women, many of whom will have infants, in that program. And they will hopefully be able to move permanently off the streets of New York.

Beyond the Crisis Center I mentioned Rights of Passage, and that it wasn't enough. About a year ago, after we opened up the longer-term program, which is by the way 100 percent privately funded, some of my staff kept bothering us and Father Bruce saying that we were losing touch, we were getting too professional with what was going on in the streets. And they were right. We felt so good about having a handle on who the kids were in our program, on the fact that we were actually moving into a professional, formalized program for street kids. And they said that doesn't happen because street kids don't stay on one corner and they are all different. There are no two alike.

We had cut back on some of our services, including our outreach, and we quickly reinitiated that in the form of mobile vans, starting in Manhattan and then reaching out to the other boroughs. We have two vehicles out every night in the streets of Manhattan from 10 till 6 in the morning. I would seriously recommend, if you're ever available in town, that at least half the night you would get some very raw data that you would want to know about in terms of the youth of America, where they are and what their hopes are for the future.

These vans go—the contrast is from what they call the Loop District in the upper east side, which is a very posh place to be for lunch, it's between second and third avenue, between 53rd and 54th street, it's all one way. And they call it the loop. At nighttime you don't recognize that you were having a very elegant lunch or dinner there because that is where all the high-price selling of young boys goes on. Then you would go down to the Pier District off Christopher Street and you would see hundred's of young men, literally, standing in line there tonight, as for any other night, for

everybody to see, parading in front of the cars to be beeped at and to hop in the car and do their thing. That's how they're surviving in the streets.

Our response is not to convince all these young people to come into our program. This is a brand new population for us, a much more hardened group of young people, and younger than we've seen in some time. But to be a visible presence available for them, so that if one person that night wants to make some sense of reconnection, even if they want to bypass our program services, we're going to be able to do that.

Beyond the actual direct care program of outreach, the Crisis Center and the, I think, rather exciting Rights of Passage program, at this point, while it's not in my testimony, I feel compelled concerning the previous testimony to just mention that there is also an additional hotline to confound the issue called the 9-Line. And the reason I mention that is because kids remember the number. It's 1-800-999-9999. And that is run also by Covenant House, not under my jurisdiction, but my friends with the national program. I should say that that is available 24 hours a day. It's staffed by both professionals and volunteers and is totally privately funded at this point in time. It is receiving anywhere from 1500 to 2000 calls a day, 400 of those are crisis calls.

Just some real quick characteristics of our population, particular to our New York program. I want to bring this up because I think it's significant in light of some of the previous testimony you've heard on other days in terms of the makeup of the kids. And I'm particularly proud of who it is that stays at Covenant House, New York, even though many of these young people are different than those that stay at some of our other centers throughout the country.

So, 65 percent of our population is male, 35 percent female; 90 percent plus is black and Hispanic in the New York City program, about 55 percent black, 35 percent Hispanic. And 80 percent or more, about 80 percent, of the young people currently in our New York City program are from New York City. And if you take that 80 percent, 50 percent are from the Borough of Brooklyn. And 50 percent are 18, 19, and 20 years old; 25 percent are 16 and 17, and sadly, 25 percent are 15 and younger. That includes a population of kids with kids, babies who are six to eight years premature, as far as I'm concerned.

These young people represent, I think, a very national crisis that is not only in New York, but is appearing in other major urban areas, and that is the older, homeless youth. I, frankly, don't think that most of these people can find a home to go to. They are sleeping in scum on the streets of New York and I can't believe that they would choose to do that in lieu of some semblance of a family. We're dealing with young people. They're very proud people. They haven't chosen the walk of life that they're in.

I wanted to address this population because this was not the group that was originally designed to be addressed in the Runaway and Homeless Youth Act. They are severely disconnected. Most of our young people from New York, in particular, come from single parent families. They personally have had a history of drug and alcohol abuse and have come from families with a history of drug

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and alcohol abuse. And they have come from families with a major history of physical and sexual abuse.

There's one other characteristic of the population in New York I'm very shaky about even talking about. I'll try to be brief. I think it is paramount that during these testimonies that you hear clearly from us and from many others who have spoken that this group of kids, young adults that we are working with, are probably the group at greatest risk of contracting the HIV virus, AIDS. And I wish I could sit here and tell you that I could confirm, based on my experiences, the rather heart-warming or at least supporting argument that was in the New York Times in Sunday on their front page, that things had kind of subsided, and while we certainly were going to see many more deaths the infection rate was going to decrease. Well, my problem is we are starting to bury adolescents in New York City, of AIDS. The incubation period has severely been reduced.

About a year ago our medical director came to me and said, Ron it's not fun any more. I'm starting to see kids with advanced stages of the illness, arc-related and actual AIDS diagnosis. I had a call at 6:30 this morning. It was the medical director. We have recently participated in a double-blind study with State Health Department, very, very confidential so that neither the person being tested or the tester could ever, ever identify who the individual was. And the doctor was very, very devastated and told me that he heard I was down here today and thought I would want the information. I told him I didn't want to hear about it because I presumed I would be under oath and didn't know how I would be able to react. But I do feel that I have the obligation to tell you that in our program I can conservatively estimate that 10 to 20 percent of the young people coming into our program on a yearly basis are going to be identified as HIV positive.

I know that our medical staff, prior to looking at a larger sample—and we will have these results available for you at some point in the future—when they did identify the young people coming into the health clinic that, based on history and/or physical characteristics, they thought would be at high risk and they tested—so it's obviously a very skewed population—there were 49 young people in a month, 39 percent of them were HIV positive. Now, that was the most at risk group that was 39 percent. In the general population of the young people coming into the program in New York, we're talking anywhere from 10 to 20 percent HIV positive. And we will have, unfortunately, the supporting data one way or the other. And I hope I'm wrong, but I assure you that that is the expectation that the physicians have.

I bring it up because I think it has to be addressed. Realistically, within the realm of the runaway and homeless youth that we are serving in all of our basic shelters, I think it has a lot of implications in terms of planning and in terms of how we're going to address the basic issues of youth in the future of this country.

Let me just very quickly wrap up in terms of the point of the act. And by the way, Mr. Chairman, I think with regards to addressing the AIDS issue that we probably do need to consult with Mount Sinai on that one, and not let that up to the Government at this point.

We at Covenant House strongly recommend the reauthorization of title III as the legal foundation piece of this country's organized efforts to help its troubled youth. However, we do recommend four basic changes. We think they would be in order and I've indicated those in more detail in my written testimony.

I think it's extremely important that you extend the maximum age for inclusion to 20, similar to what Covenant House (Under 21) has been doing over the last 15 years, and quite frankly the New York legislature has recently done in its own Runaway and Homeless Youth Act. Many of us are seeing the majority of kids in the age group of 18, 19, and 20. These are also the kids that seem to be the most damaged and have some very, very serious problems.

The second recommendation I would have is to eliminate the 15-day limit on length of stay at an approved Runaway and Homeless Youth funded shelter. Our experience indicates that 15 months is more realistic. And I recognize that that's not going to be possible, but we're asking these young people who are coming in off the streets to learn all the skills and connect with all the values that took us a lifetime to pull together.

We at our program have a least 800 mothers and their infants come into our program in a year. Fortunately, they are able to stay with us for several months. But in that several month time period we're talking about indulging in a whole lot of education and training with them so the kids don't get abused, so the diet is adequately prescribed, etc. 15 days just doesn't cut it.

I would also encourage you—and this is a bit of a selfish reflection to maintain—some flexibility on program size. And certainly I would encourage, where possible, smaller shelters. But, allow for larger programs where there are not enough smaller units available or affordable.

I come from—when I worked with the rabbi—a program of small, community-based programs and anything beyond 15, as far as I was concerned, was institutional. Well, you can also have a three-bed institution. Or, you can have a 300-bed home depending on how you maintain it, philosophically as well as programmatically.

In the Time Square area I couldn't afford to keep the door open for 10,000 admissions a year if we had to divide it into 30 different programs throughout the city. On the other hand, I will readily admit that if money wasn't the issue I would rather have 30 facilities throughout the city to deal with these kids. We want to keep our door open. We're stubborn about that and in order to do it right now we have to do it under one roof. But, as that goes, we are not entitled to any appropriations because of our model.

The fourth and final issue, I think, with me the recommendation that we have—and I probably feel as strong about this as anything—is to make funding more commensurate with the need. I'm not even talking so much about Covenant House, but more so for those programs that rely even more on the Runaway and Homeless Youth Act monies. There is a constant struggle to meet the expenses of caring for this population.

I feel guilty when I interact with the member agencies of the Empire State Coalition and the Garden State Coalition because somehow its worked well for Covenant House to get generous con-

tributions from its donors. We're not going to sit back and not raise that money, because we know where the need is and how we want to spend it. And we assist other groups to try to do it, but so many of the smaller organizations are dependent on the RHYA dollars. Many of these groups are supported through the National Network of Runaway and Youth Services.

Over 300 agencies compete for $25–$26 million dollars a year in funds. Generous donors, for example of Covenant House, in cash, in kind, in volunteer services donate almost $45 million a year to keep open the seven sites that we currently have. I'm not bragging about that, I think the travesty is that the over 300 programs nationally, here, are competing for $26 million. And I seriously and very strongly urge you to look at that. They can't continue to deal with what they are being asked to do. They are also cutting each other's own heads off. When a new program evolves, very appropriately, to meet a new need in a different area of the State, I guarantee you some other program is going to suffer a cutback.

In New York State we just heard two days ago that there would be a 5 percent increase in the overall operational funding. That really amounts to a cutback in this day and age.

If Covenant House was dependent on those funds we would have to make some significant changes to our existing program. Because of our size, dictated in a large way by our stubbornness in terms of open intake, to not turn a kid away, most of our programs are ineligible for RHYA funding. If we did observe the 15-day, under age 18, and 20-bed limits, approximately one-half of all the youth that we currently serve would not be admitted to our shelters.

Pregnant young women and their babies, who often require several months of planning before a reasonable, not necessarily good, but reasonable discharge can be arranged would have to be discharged after 15 days. And I really couldn't tell you where we would discharge them. That's why a lot of programs don't admit them.

Our outreach van would limit its contacts to only those kids 18 or under the age of 18, even though the majority of the young people we meet on the streets of New York are 18 through 21. And probably most disheartening would be, because it's the only ray of hope I see in the immediate future, we would not have our Rights of Passage program if we had to follow 15-day and under age 18 limitations. And that's really the only program that's going to work for the young people that we're talking about in the near future.

Now perhaps I've overemphasized the amendments that we think would improve the law, and we neglected to stress the reauthorization, per se. And if I did that, I'm sorry. But there's still multi-thousands of runaways well under the age of 18, unfortunately, who need all the excellent services of the RHYA shelters that very aptly provide services now. But, along with the reauthorization I strongly believe that we should come to the—or that we believe should come the changes that I've proposed in my testimony.

I thank you, Congressman Kildee, for your personal invitation and for the support of the subcommittee on behalf of the kids that we all believe in, for the work that we have done in the past and that I know that you will do diligently in the future.

I would again like to extend an invitation to any of you, if you are in the New York City area, to come and share, not only with us, but with some of the other organizations, the good and the bad of what we deal with on a day-to-day basis, and highly encourage you, in addition to talking to us, the perceived professionals in the field, to get an opportunity either informally or formally. A lot of the youth consumers of the services that you're being asked to re-authorize would be an excellent group to address. Thank you.

[The prepared statement of Ronald L. Williams follows:]

Testimony of Ronald L. Williams

Executive Director, Covenant House/New York

before the Subcommittee on Human Resources of the

Committee on Education and Labor

U.S. House of Representatives

February 18, 1988

Thank you for inviting me to speak to you today. My name is Ron Williams, and I am Executive Director of Covenant House in New York City. Our organization was founded two decades ago by Fr. Bruce Ritter who continues to lead the agency as we now shelter more than 1000 young people each month at our seven centers in North and Central America.

Today I would like to focus my remarks on just one part of the Juvenile Justice and Delinquency Prevention Act, Title III, which deals with runaway and homeless youths. These are the young people I meet every day on the elevators and in the corridors at our crisis center at 41st Street and Tenth Avenue in Manhattan. Beyond the legislative halls and outside the scholarly journals, they have names and faces.

They're the child-mothers whose babies I admire fondly even while regretting that the births are six or eight years premature. Runaway and homeless youths are also the outwardly brash, inwardly scared-to-death adolescents our health services tries to educate about the horrors of AIDS. They are the hopeful ones seeking longer-term opportunities that could give them a toehold in the slippery climb up to a stable, reasonably secure future. And too, they're the youngsters who are seen by the staff of our outreach program and urged to leave the streets behind for a night, at least. Maybe forever.

Obviously, any legislation that touches the lives of runaway and homeless youths is of critical interest to all of us at Covenant House, and we strongly recommend reauthorization of Title III as the legal foundation piece of the country's organized efforts to help its troubled youths. But we feel changes are in order so that the law--originally passed only as runaway legislation in the aftermath of the sex murders of 27 teenage boys in Texas in 1973--can properly address what is amounting to a national crisis today, the plight of our older homeless youths. Reference to "homeless" youths was added to the name of the law when it was reauthorized in 1978, but the law and its regulations even today seem to address a runaway problem much more than youthful homelessness.

Reading the perceptive testimony of other youth service providers who appeared before you in your January 29 hearing session, I've been interested to note that there's a virtual consensus on the importance of extending coverage so the law can serve older homeless youth more comprehensively. Changing the maximum age for inclusion under the act to 20--thus serving those "Under 21" as Covenant House has been defining its mission all along--would open the door for federal funding that would encourage more agencies to develop residential/educational/training programs for this terribly endangered "older" population.

We also feel that current regulations under the act, imposing a 15-day limit on a youth's length of stay at an RHYA-funded shelter, are far too restrictive. Although this condition is not written into the law, legislation presumably would be required at this juncture to eliminate the time limit.

Further, we believe that the 20-bed maximum size for an approved site--although appealing and well-intended--presents an often impassable roadblock to reaching many who need help. In fact, this regulation coupled with the consistently modest level of funding for shelter programs certainly keeps many runaway and homeless teenagers on the streets.

Beyond those points, we recommend federal funding more nearly commensurate with the need--ideally, a reasonable match for the amount a generous public gives to private agencies dedicated to protecting and rescuing our children. Supporters of Covenant House, for instance, made their concern for runaway and homeless youth evident by donating about $45 million in cash, services and merchandise in the year ended June 30, 1987. Meanwhile, for its fiscal year '87, the federal government was dividing less than half that much among some 300 agencies. This is a particularly strong concern which I would like to express today. Agencies throughout the United States, represented as a group by the National Network of Runaway and Youth Services, are increasingly struggling with a shrinking funding base in real dollars. These agencies rely much more heavily than we do on government monies to meet the expenses of caring for troubled youth. I can personally attest to the excellent work done by these programs, but I am concerned that they may have to reduce their services to young people unless their funding more realistically meets the costs of providing these services.

After years of heartbreak over the runaways and the missing children, public scrutiny is moving to the seemingly more pervasive problem of homeless youths. They may have been yesterday's runaways, but they're older now, and many are beyond the 17-year-old maximum for Runaway and Homeless Youth Act coverage. Moreover, their problems cannot be solved within the 15-day period specified under the act; indeed, everyone who works with these older nomads considers it a triumph if the older youths entrenched in homelessness can make substantial progress toward stability in a 15-month period.

As you are probably aware, Covenant House's Under 21 aegis--as well as the sizes of our shelters which are big enough to sustain our open-admission policy--makes most of our programs ineligible for funding under the Runaway and Homeless Youth law. But it's revealing to speculate how many more young people would be left to the streets if we did observe the 15-day shelter limit and the cutoff of services to those 18 and over:

--Approximately one-half of our youths would never be admitted to our shelters. Those are the 18, 19, and 20 year olds who come to

us only a little less fragile than the 16 and 17 year olds who make up about 25 percent of our clients, while the remaining one-quarter are children 15 and under.

--Our pregnant girls and new mothers and babies, some of whom have stayed as long as four months until a good discharge plan could be arranged for them, certainly couldn't be put out on the streets after a 15-day limit. But where would they go?

--It would be difficult to limit our Off The Streets van encounters to under-18 year olds. (Come, have some hot chocolate and a sandwich with us if you're not over 17, is the way the invitation would be worded presumably.) Eventually, friendly conversation, counseling and--when the climate is right for a small miracle--an intake referral, yield statistics showing that a majority of the youths served are 18-21. Of 2,975 total outreach encounters with street youths in New York from July 1 through December 31, 1987, 704 involved meetings with first-time van visitors, 436 of whom were 18-21. Of those who accepted Covenant House intake or overnight shelter, the proportion of older youths was even higher, 74 percent.

--Most disheartening of all would be the non-existence of the Rights of Passage program if Covenant House were bound by the 15-day limit on residency and the under-18 limit. Rights of Passage was launched in March, 1986, for a vanguard of 25 youths, 18, 19 and 20 years old who have received job training usually in the form of internships; room and board in nicely furnished surroundings; education aids as needed; the interest of a volunteer mentor and, most importantly, the devoted moral support of a sensitive staff.

The youths pay a portion of their income toward their room and board but they can save much of their money toward the day when they'll be living independently, usually after six to 18 months in the program. With Covenant House's recent purchase of a large building in Manhattan to house the program, Rights of Passage will soon be able to expand its program dramatically. Increasingly, it will endow once-homeless youths with that most precious gift--a future.

Because I believe so strongly that programs like Rights of Passage are our best hope for making significant change in the lives of deprived young people, I am quoting extensively from a manual that has been prepared by our Rights of Passage staff. It's designed to guide others who might want to start similar multi-faceted programs, but I feel it articulates so well the problems and the promise of these early young adults that it should be part of our thinking even as we discuss changes in the Runaway and Homeless Youth Act. In an "afterword" the Rights of Passage staff observes:

"Chronically homeless and runaway youth start from a position of such disadvantage that it is hard for most of us to imagine. Their interior equipment for functioning in mainstream society is almost non-existent. Lacking the most basic skills--rational thinking, decision-making, planning ahead--they are in many ways no better equipped for life in the world than young children..Yet circumstances have forced them to function in the most rapacious of adult environments--the street--where success is measured in terms of survival and any other terms seem as distant as another planet. An apartment of their own, security in a job, stable and constructive relationships with landlord, supervisor, family, friends, competence at fundamental independent living skills: they have difficulty even conceptualizing these.

But these young men and women have the drive and talent to succeed. Some of them believe in themselves just enough to strive for a better life. For those young people, Rights of Passage presents a very real ray of hope. From the moment they are accepted their chance of realizing their vaguely articulated dreams increases a thousandfold."

Elsewhere, the manual sets forth Rights of Passage goals as tackling "the problems of unemployed and under-educated youth by offering entry-level jobs with a future, remedial education, housing, medical care, a volunteer corporate mentor and supportive counseling both during their stay with us and after they leave. We make them a part of a caring, supportive community and offer them options they never before considered for coping with every issue in their life.

And then we ask them to change--to say goodbye to their old lives, take new homes, get new jobs, think new thoughts in new ways and leave old ways behind..."

Perhaps I've overemphasized the amendments we think we think would improve the law and neglected to stress reauthorization per se. If so, that's unintended. There are still multi-thousands of runaways, well under 18 under unfortunately, who need all the protection of RHYA shelters can give them. Some are prostitutes. Some are as young as 12.

But along with reauthorization, we believe, should come the changes we have discussed. In summary, we ask that you:

1. Extend inclusion of the law to homeless youths up to 21, as New York's legislature has recently done in our state's Runaway and Homeless Youth Act.

2. Instruct the administrator of the act to drop the 15-day limitation on duration of a youth's stay at an approved runaway shelter.

3. Continue to recommend the smaller (maximum 20-bed) shelters when those are within attainment, but allow the larger shelters to qualify for RHYA grants when there are simply not enough smaller units available and affordable.

4. Encourage federal funding of the program at a level that reflects the degree of concern we have--we must have--for our coming generation.

Again, I want to thank you for this opportunity to meet with you.

For a further discussion of legal barriers to providing fuller access to Runaway and Homeless youth services, see Loken, G., THE FEDERAL BATTLE AGAINST CHILD SEXUAL EXPLOITATION: PROPOSALS FOR REFORM, Vol. 9, Spring 1986, Harvard Women's Law Journal at 105.

Mr. KILDEE. Thank you, very much, Mr. Williams. I appreciate your testimony.

Several years ago I visited Covenant House at the time I introduced my bill on child pornography which finally became law. We were able to see literal meat racks in New York City there. And Father Bruce Ritter was very helpful to us. The bill's been strengthened since then. We did what we could do then, and he was very helpful. Mankind's inhumanity to mankind can cover every aspect of the human existence. We saw a great deal of that in New York City when we were there. We'll be up there again, to take a look at your program.

Mr. WILLIAMS. Good. Thank you.

Mr. KILDEE. The budget just landed here today and we're poring through it as it affects my area of responsibility here in the Congress. The President does leave the $4 million for the missing children, but he zeroes out the money for the juvenile justice area saying that the deinstitutionalization of status offenders and the separation of juveniles and adults have been met. Would any of you care to comment on whether you feel those goals have been met or whether we should go along with the President's zero budgeting in those areas. Judge, do you want to?

Mr. MCDONALD. With all due respect to the budget, I don't think that's nearly accurate. There are so many problems. It's unfortunate that any time there seems to be a budget cut, whether it's on the national level or on the State level, social services are almost always the first to go.

And, in Kentucky alone—although we've made great efforts in Jefferson County, Louisville, we do have a detention center—there are a number of jurisdictions out in the rural areas of the State where children are still being housed in jails, and it's totally inappropriate. So, I certainly would have to disagree with the statement contained in the budget.

Mr. KILDEE. Does anyone else care to comment on that? I guess we pretty well have a universal opinion on that one. I know I disagree with it. I read the budget. I wasn't surprised by it. Ever since I became chairman of this subcommittee they've been trying to do it.

I knew my subcommittee was a very good subcommittee, as a matter of fact, when I first became chairman, and I looked at the budget that year and every program that I had jurisdiction over they had either zeroed out [laughter] or marked for a freeze. So, I knew I was in charge of something very important.

I didn't mind that so much, but every dollar that Cap Weinberger got for his shop he got not from any increased taxes. As a matter of fact, we cut taxes in 1981. I happened to vote against that tax cut. But he cut taxes in 1981 and every one of those dollars for the 70 percent increase in defense budgeting—the President wanted 100 percent but this time we cut him down to 70 percent increase—every one of those dollars came from poaching those dollars from other programs. And they poached them from the most vulnerable people in our society; the young, the old, and the poor. And that is immoral. It's immoral.

I appreciate all the testimony here today because you're down here testifying on behalf of those people who are the most vulnera-

ble in our society, those who need people to speak out for them. Not many of them are able to speak out directly. They don't have access to the system, or don't know the system.

Although, about three weeks ago, a young man who testified, sat right there at that table, whose life really had been salvaged by getting to a runaway shelter, finding himself, getting back on the path, and finding some self-esteem. He found that he was worth something. And that's very important. In any of the programs you're involved with, if you can help a young person feel that they are worth something, you have made a great accomplishment right there.

You meet a lot of people who either think that they're junk themselves—and if you don't like yourself, you're not very likely to like other people. I keep telling this story, but I'll tell it one more time. I have three teenagers, and my philosopher, humorist in the family is Paul, who is 15 years old. When he was about 9 years old I was tucking him in bed one night and hearing his prayers. When he finished his formal prayers he said, "I love God, I love mommy, I love David, I love Laura, and I love me." That's very important. That's very important.

In that time that you're able to touch their lives, you can help get one person out of that loop who might want out of that loop, and help them feel that they have something more valuable than just selling their body; if you can make that person recognize their worth and dignity, then you've really done something great.

Very often we in Government think in terms of numbers. It'd be nice if you could help them all, but if you can just help that person salvage himself, that's extremely important.

My job down here is to try to work to get dollars and then to try to authorize a program that can give you the most effective tools and the flexibility to serve those people who do come before you. It's extremely important to have people like yourselves testifying today. Because, you know, Washington can be an island of unreality, surrounded by reality. We have a lot of reality just five blocks right from the Capitol building.

You know, there are a lot of runaway youth. People like yourselves who are really there delivering those services or involved with those who are delivering those services are very, very important to us. As you can tell, I spent some time in the seminary. I preach once in a while when I get a chance.

But I'll turn to Mr. Visclosky now and I'll come back with some questions. Peter.

Mr. VISCLOSKY. Mr. Chairman, thank you very much.

I'd like to touch on two areas. The first is the whole question of the overrepresentation of minorities who have been incarcerated and then the subcategory, I guess, as to the type of incarceration.

Before I begin though, I would ask any of the panelists that would want to respond, am I correct in understanding we're not talking in terms of overrepresentation just in raw numbers, but in ratios as far as incarceration per 100 Hispanics, per 100 blacks, per 100 whites—the incarceration rate is higher?

Mr. BOGAN. Yes. The rates were calculated in the study I referenced, came out of the Hubert H. Humphrey Center, I'd be happy to get you a copy of that. But they were population-based rates.

Mr. VISCLOSKY. And then it would give differential as far as the types of institutions, blacks, Hispanics, and whites would be concentrated in?

Mr. BOGAN. Right. And again, there are tables here which I'll provide you that show how those break out, the various public and private. And there is a clear pattern of difference.

Mr. VISCLOSKY. And Ms. Dinsmore, I think you alluded to a study as well in your prepared testimony. Mr. Bogan, you had some specific recommendations to address that special concern. Ms. Gary and Ms. Dinsmore touched on it, specifically, in their testimony as well. But I didn't sense that there were some specific recommendations. Would you have any to offer the subcommittee at this time on that question?

Mr. BOGAN. Well, I would—do you want me to go over again what mine were?

Mr. VISCLOSKY. No, I have yours. I'm just wondering—from some of the other members of the panel, because in one form or another really all five of you had touched on that. Mr. Williams, you talked about your ratios as far as the number of blacks and Hispanics. The graphic photographs we saw were of a black individual.

Ms. DINSMORE. Certainly if institutions had objectives criteria for admitting and placing everyone that came before them that would help. The way the system operates itself—it's so arbitrary, and intake decisions are often extremely vicious. And States that have adopted very solid guidelines for admitting kids and placing them tend to have much fewer problems.

Mr. VISCLOSKY. I'm wondering, and I hate to admit this publicly because I've married a lawyer. I'm a lawyer as well, and I had very little personal experience with the juvenile justice system, perhaps one or two cases. And really that experience now is very, very dated. My sense is what you want to try to do is to find that balance, to maintain the flexibility of that system, but to prevent what would appear almost to be an abuse that has occurred here.

Ms. DINSMORE. Certainly. I think the coalition members would all—and I assume everybody at this table is—we want children to have the same rights, legal representation, but we do want them to be treated differently. We do believe that kids are different from adults and you certainly—well, I would certainly believe we have an obligation to help everybody, adults or kids. We believe there's a greater chance and we should use every opportunity, every kind of program possible to intervene and rehabilitate before the problem gets worse.

That's one of the great crises then, not intervening properly in a few situations. Because you see so many kids who have gone through the systems as abused kids, they've gotten into the foster care system, they then become runaways, they then get into the delinquent state. And it's very difficult to find a prison population that doesn't have an overwhelming, if not universal, common variable of abuse background.

Mr. VISCLOSKY. Mr. Bogan, if you could provide our office with a copy of that Humphrey study I would appreciate that very much.

The other question I would like to touch on—and again it has come up in one fashion or another in everyone's testimony—and that is teen pregnancies. The major city in the congressional dis-

trict I represent has an unwed birth rate of more than 70 percent. I have a kindergarten class—not in that city but in another city in my district—over 75 percent of the young people who are 5 years old today in the kindergarten class were born to women who were younger than 16 years of age. You know, I look at them, and I look at my one-year-old son—I'm a product of that experience—and feel that their lives are essentially not over, but they're going to have a very difficult time in life.

The act, my impression is, is not meant to specifically address that problem. But, Mr. Williams, for example, you talked about the extension of the shelter duration. Would any of you generally want to comment? I wish I had a very specific question. But it's an overriding concern to me and I'm just wondering are there some accommodations within the act that we can make to at least soften the blow that has occurred?

Mr. WILLIAMS. Certainly my point was to soften the blow after its already occurred. I have just to say that 15 days doesn't cut it. Neither does two months or three months.

And that's why, as I mentioned, with our longer-term program—I think you heard pretty loud and clear that in addition to males there were females and females with kids—because it's the only answer, to go back to the bases and get the retraining.

In our case most of the young people, teenage parents coming into our program, they're having their children because that's their first love bond. That's their thing to love because they weren't loved, etc. Most of the young people come to us after they've had the child. Unfortunately, what we're seeing is that they're there with a one-year-old and pregnant with the second one at the same time.

And if you think you panic with your one-year-old, I've got a three-month-old and I panic because I also have a 21-year-old. [Laughter.]

And he's not hearing it all. He's not hearing it at all.

Mr. BOGAN. I would offer one example of how our program, through OJJDP, was able to address the problem of pregnancy, teen pregnancy.

We had a site in Utah, in Salt Lake City. And what they decided to do—they were seeing a large number of very young mothers in high-risk families, perhaps one of their parents was gone, they were unemployed, not married, or in an unstable relationship—and they did a parent training program for them, and sometimes with the grandparent as well. The issue was preventing a child abuse in that high-risk young family, to try to stop a future chain of abuse and then delinquency. And perhaps prevent another pregnancy at that age.

Ms. GARY. This brings up the area of early intervention again, as we've been talking about. When it comes to pregnancies—in the search for I am somebody, now I'm a mother, you know, I'm a father—it goes back to Chairman Kildee's self-esteem. If we can intervene in the community—much before they enter the juvenile justice system—with programs that address those types of needs then I think a lot of this will fall into place. That's been our experience. Those kinds of programs do work.

Mr. MCDONALD. Mr. Visclosky I couldn't agree more with that. It's not unusual at all for me to have a 30-year-old, 33-year-old grandmother come into court. The grandmother got pregnant when she was 15 and now her daughter, at 15, is having a child. And I think that early intervention is going to be the key, providing parenting classes to prevent abusive situations which would, in turn, significantly reduce the number of status offenders as well as the delinquency problem. So, it's all very interrelated, but I think the earlier that we can get involved the more success that we're going to be experiencing.

Mr. VISCLOSKY. Thank you very—I really found your testimony informative and open. Mr. Chairman, thank you.

Mr. KILDEE. Thank you, Peter, for your excellent line of questions.

I really have no further questions, but I do think we have before us a group of people who have both the right heads and the right hearts for this type of work. So, I really want to stay in contact with you. We here on Capitol Hill need to have both our heads and our hearts fed by people like yourself who obviously are knowledgeable of the need out there and have the compassion, the feeling, towards people.

You know, it's interesting that Covenant House depends a great deal upon private contributions. I know my mother sends them money. [Laughter.]

Mr. WILLIAMS. It's 95 percent.

Mr. KILDEE. It would be nice if we could get the Pentagon to privately raise certain amount of it's budget. [Laughter.]

Of course, they did some of that with the Contras, I think. [Laughter.]

Or let them have bake sales and things like that. [Laughter.]

Government's prime role should be to promote, protect, defend and enhance human dignity. We should try to examine every question that comes before the Congress with that in mind. Will this promote, protect, defend, and enhance human dignity or will it tend to denigrate human dignity? We're dealing with young people who are just now in the process of developing their personhood, some of which is already damaged. That's a very high priority to me to promote human dignity.

I guess my job, and I've been encouraged in it this morning, is to not only try, but to get a good authorization bill and then go to the Budget Committee and the Appropriations Committee to get adequate funding for this program. So I will commit myself to do that. I'm fortified with your commitment and the knowledge that you brought to us today and I really have no further questions.

We will however keep the record open for two additional weeks for any additional testimony you might want to submit for that. I just want to thank you very, very much. I think we're better armed now to do battle in this area. At that, the committee will stand adjourned.

[Whereupon, at 1:16 p.m., the subcommittee was adjourned.]

[Additional material submitted for the record follows.]

The National PTA
700 North Rush Street
Chicago Illinois 60611-2571
(312) 787-0977

Office of Governmental Relations
1201 16th Street N.W.
Washington, D.C. 20036
(202) 822-7878

Statement By The National PTA

Before the Subcommittee on Human Resources

Committee on Education And Labor

U.S. House of Representatives

regarding

Juvenile Justice and Delinquency Prevention Act Reauthorization

by Millie Waterman

The National PTA Vice President For Legislative Activity

February 18, 1988

Mr. Chairman, and Members of the Subcommittee on Human Resources, on behalf of the National PTA and organization of 6.1 million parents, teachers and concerned citizens, I would like to thank you for your consistent leadership in maintaining and strengthening the Juvenile Justice and Delinquency Prevention Act. I request that the comments contained herein be placed in the Record of the Subcommittee's hearing on February 18, 1988.

The National PTA strongly supports the reauthorization of the Juvenile Justice and Delinquency Prevention Act (JJDPA). Maintaining a strong federal role in delinquency prevention and child protection is a priority for our association. We believe that congressional commitment to ensuring JJDPA's preservation and potence is essential. During the past eight years our country has witnessed a retreat, by the Administration, from further advancement of delinquency prevention programs. As you know, since 1981, President Reagan has recommended zero funding for the JJDP Act.

Only through strong bi-partisan, Congressional support has the Act survived, but not without suffering debilitating setbacks. The program's appropriation has been reduced so that the current funding level is $66.6 million dollars, a reduction from $70 million for fiscal year 1987, and its 1980 funding level of $100 million.

The emphasis toward delinquency prevention, for example, has all

but vanished. Instead, the office of JJDP has been used as a vehicle to embrace a "get tough" policy with juvenile and status offenders. Punitive has replaced preventative as the active verb when describing juvenile justice programs as administered by the Office of JJDP. More energy is spent in highlighting the growing problem of delinquency than in funding prevention activities.

Instead of calling for an expansion of community-based alternatives to juvenile incarceration, the Justice Department requests more federal assistance to build jails. Reprimanding juveniles appears more important than securing health care (physical and mental), education or support services. Services that are preventative in nature, and needed by many youth.

Our association believes that the Act, over the past 14 years, has lead to accomplishments in establishing and securing the rights of young persons. Despite funding and administrative obstacles, the JJDP Act has worked. For example, the jail removal efforts have help protect to youth offenders from emotional abuse, physical injuries and sexual molestation that often occurs when young persons are placed in secure detention with adults. Jail removal efforts must continue.

Formula grants have been instrumental in funding innovative services for youth offenders, and federal dollars have provided an incentive for communities to develop alternative approaches to delinquency prevention programs. The act is a vechicle to help

communities meet the needs of youth more effectively.

But the unfortunate truth is that in many communities, particularly in poorer regions, the courts and alternative facilities are overcrowded, programs are inadequate and the staff is outraised. Limited and poor resources not only negatively impacts the youth who needs help, but our nation as a whole pays the price in future social spending costs.

To compound the problem, some states have passed laws increasing the number of juvenile offenders tried in adult court, thereby increasing the number of youth under 18 years old being sentenced to adult prisons. Further, some states have adopted stiffer penalties for youths tried in juvenile courts, resulting in a larger number of youth going to detention facilities. Twenty-three states still are not in compliance with the jail removal provisions of the Act.

The disproportionate number of minority youth being incarcerated for the same crime committed by a white youth is also an issue that must be examined. Research demonstrates that white offenders are sent to private facilities while minority youth are sent to detention centers and training schools.

Also, when juveniles are brought before the courts, they must be guaranteed due process protections. Many accused youth are not represented by counsel, or are represented by lawyers unfamiliar

with them and juvenile law.

As a society, we must recommit ourselves to preventing juvenile delinquency, providing social services and establishing a viable existence in our communities for all youth. A recommitment to helping troubled youth is paramount if crime and delinquency prevention is to be realized. Efforts to prevent crime are particularly important in a country where an estimated one million youth drop-out of school each year, 80 percent of children needing mental health services get inappropriate or no services, when in 1981, two-thirds of high school seniors admit to using illicit drugs, documented reports of abused and neglected children have risen, and the total number of homeless families continues to climb.

The National PTA believes that with strong Congressional leadership, such as that of the committee members, along with the reauthorization of the Juvenile Justice and Delinquency Prevention Act there is a strong likelihood that the incidence of delinquency can be lowered.

The National PTA believes that the JJDP Act must be reauthorized because juveniles are entitled to basic protections. The Act does accurately define juvenile delinquency and embodies legal principles pertaining to the rights of juveniles. These principles are:

- jail is not a suitable environment for young people; and

status offenders must be protected from being placed in secure detention or correctional facilities;

- community-based alternatives to incarceration are necessary if youth are to feel a part of their communities, not isolated from them;
- the family unit should be strengthened so that juveniles can remain in their homes rather than being institutionalized;
- delinquency prevention and community-based rehabilitation programs are more effective than punishment;
- youth in correctional facilities must receive a developmentally appropriate education; and
- runaway and homeless children should be provided with a safe, temporary shelter and receive support services while being reunited with their families.

The Juvenile Justice and Delinquency Prevention Act is a comprehensive measure that not only deserves to be reauthorized, but must receive adequate funding. The National PTA is committed to advocating on behalf of both initiatives.

I once again thank you for your leadership in juvenile justice and delinquency prevention.

SERVICES for the MISSING, INC.
P.O. Box 26
Gibbsboro, NJ 08026

Nikolette Thoman
Executive Director
(609) 783-3101

February 28, 1988

RECOMMENDATIONS FOR
THE REAUTHORIZATION OF THE
MISSING CHILDREN ASSISTANCE ACT

In August of 1986, Services for the Missing, Inc. provided lengthy written and oral testimony for the House Subcommittee on Human Resources. This testimony spoke to the implementation of the Missing Children Assistance Act (MCAA).

We are pleased to submit this set of recommendations for the up-coming reauthorization of the MCAA. These recommendations were designed using the text of the MCAA.

Overall, we feel that the Act was properly designed. However, in order to adequately serve missing children, the Act requires additions and a stronger focus on its implementation.

The MCAA, signed into law by President Ronald Reagan on October 12, 1984, was designed with the intent to directly aid parents of missing children.

The findings stated in the text of the MCAA speak clearly, we feel, to the issue of parental abduction. The first finding states: "Each year thousands of children are abducted or removed from the control of a parent having legal custody without such parent's consent, under circumstances which immediately place them in grave danger." This finding, although it does include those children who are suspiciously missing, seems to deal primarily with the issue of parental abduction. It does not, in any way, point to the runaway child, who chooses to leave "the control of a parent having legal custody", typically because their home life is unbearable.

Services for the Missing, Inc.'s first recommendation for change in the reauthorization of the MCAA is to re-define the term "missing child". Because runaway children require a completely different service response than parentally abducted or suspiciously missing children, and given the fact that services to runaway youth are designed and implemented by existing dollars and programs, missing children should not be defined to include runaway youth.

Recommendation One

For the purpose of this title-

(1) the term "missing child" means any individual less than 13 years of age whose whereabouts are unknown to such individual's legal custodian if -

(A) the circumstances surrounding the individual's disappearance indicate that such individual has been removed by another from the control of such individual's legal custodian without such custodian's consent; and

(B) there exists within the circumstances of such individual's disappearance reason to believe that there is an element of willful and deliberate concealment on the part of another.

Section 5773, number 3, deals with the hotline, which is established under subsection (b)(1) of Section 5773. In subsection (b)(1), the Administration of the Office of Juvenile Justice and Delinquency Prevention is directed to "establish and operate a National toll-free telephone line by which individuals may report information regarding the location of any missing child, or other child 13 years of age or younger whose whereabouts are unknown to such child's legal custodian, and request information pertaining to procedures necessary to reunite such child with such child's legal custodian;". In evaluating the National Center for Missing and Exploited Children's October 19, 1987 Quarterly Report, the Hotline established under this subsection has handled 260,128 calls. Of these, more than two hundred thousand calls were information requests not related to a missing child.

Not only is this use of the toll-free telephone line not mandated by the MCAA, it represents a gross waste of dollars.

In addition, the National Center for Missing and Exploited Children does not share lead information received on the Hotline with the service providers to whom it refers cases. This limits the service providers' ability to be effective in search and recovery.

Recommendation Two

Contract with an existing and established toll-free telephone line, with a history of effective use, which Hotline will be restricted to taking reports of information regarding the location of any missing child, or other child, 13 years of age or younger, whose whereabouts are unknown to such child's legal custodian, and request information pertaining to procedures necessary to reunite such child with such child's custodian.

Subsection (b)(1) also outlines the functions of "a national resource center and clearinghouse". The National Center for Missing and Exploited Children does not adequately fill the need for any of the four outlined functions. Services for the Missing, Inc. has targetted several other Clearinghouse functions which are necessary additions to the already established functions, in order to adequately address the need of the target population.

Recommendation Three

The Administration shall enter into a contract with an established public agency or non-profit organization to establish a National Clearinghouse on Missing Children. The function of the National Clearinghouse shall be restricted to:

a) Compilation, printing and dissemination of new educational/informational brochures and booklets, utilizing valid existing data, gathered from reliable sources

b) Development and maintenance of a Data Base of information regarding legal professionals willing to provide pro bono or low cost services to families of missing hcildren in all fifty states and allow the use of this Data Base, upon request, by individuals, public and private agencies and law enforcement

c) Development and maintenance of a Data Base of information regarding hotels, motels, restaurants, and transportation services willing to proide pro bono or low cost services to families of the missing upon location and recovery of missing children in all fifty states and allow the use of this Data Base, upon request, by individuals, public and private agencies, and law enforcement

d) Act as a national referral point for parents of missing children, the media, and potential funding and volunteer or support services

e) Development and maintenance of a Data Base of information regarding exising laws in each of the fifty states related to child abduction, child custody, and child exploitation, and allow the use of this Data Base, upon request, by individuals, private and public agencies, and law enforcement

f) Presentation of technical assistance seminars to all requesting non-profit agencies, public and private, as well as to social service agencies and law enforcement

g) Maintenance of a file of available, up to date, educational seminars and programs offered by existing agencies

h) Development and maintenance of a clippings file for use in measuring

public awareness and targeting service gaps in conjunction with a new Advisory Panel on Missing Children and the OJJDP

i) Filling of information requests via a regular business phone line

j) Development and maintenance of other referral files as may be indicated after a needs assessment by OJJDP

Subsection (b)(3) speaks primarily to the issue of abduction and does not include runaways in its targeted population. This subsection states that the Administrator will periodically conduct "national incidence studies to determine for a given year the actual number of children reported missing each year, the number of children who are victims of abduction by strangers, the number of children who are the victims of parental kidnappings, and the number of children who are recovered each year."

The national incidence study on children abducted by an unknown individual has been undertaken. There is still very little information available regarding parental abduction.

Recommendation 4A

The Administration shall periodically conduct a national incidence study to determine for a given year the number of children who are victims of parental kidnapping by utilizing the cooperation of direct service providers, the Family Court system, established State Clearinghouses, and law enforcement agencies.

Recommendation 4B

Establish within the National Crime Information Center (NCIC) a specific field for reporting non-custodial and custodial parental abduction.

Section 5774 deals with the Attorney General's Advisory Board on Missing Children. The MCAA presently rests a great deal of trust in this Board, given their latitude in making recommendations to the Administrator. Unfortunately, the Advisory Board has done little to advance the cause of missing children, and has had a detrimental impact of runaway youth.

Recommendation 5

The Attorney General's Advisory Panel be dissolved; the Administrator should derive advice and guidance in coordinating programs and activities from a body made up of service providers, law enforcement officers in Missing Persons Units, State Clearinghouses, and Family Court judges. This resultant body

shall make every effort to be cost-effective in the implementation of its duties.

Section 5775 deal with grants. The programs allowed under this section include some which are sexual exploitation oriented. Sexual exploitation projects are currently in operation by other established programs, and should not be duplicated under the MCAA. Although many missing children are sexually exploited, the population of sexually exploited kids is not restricted to missing children. It would be more cost-effective and service effective if the missing children clearinghouse would refer reports of sexually exploitation to the appropriate established program.

Section 5775 subsection (A)(6) states that the Administrator is authorized to enter into contracts "to address the particular needs of missing children by minimizing the negative impact of judicial and law enforcement procedures on children who are victims of abuse or sexual exploitation..." As the National Center's own numbers reflect, the need for this type of contract is much more prevalent in parental abduction cases. Fewer than 14% of "possible cases" reported to the Hotline were sexually exploitive in nature.

Of the multi-million dollars spent by the Federal Government on this issue, only about a million dollars have been dedicated to direct service providers. These funds for direct service providers were allocated as "mini-grants", and no provider was able to apply for more than $25,000. At Services for the Missing, Inc., this amount covered only about one-fourth of total operational costs. The MCAA sets guidelines for consideration of grant applications, yet these "mini-grants" were awarded on a first-come, first-serve basis.

Recommendation 6A

Remove from the MCAA the jurisdiction of sexual exploitation, and mandate the sharing of any sexual exploitation reports taken in reference to a missing child to the designated Hotline.

Recommendation 6B

An appropriation of two million dollars per year for three years shall be set aside to application by direct service providers. These funds shall be restricted to this use, and may not be accessed by the Clearinghouse grantee.

A request for proposals shall be printed in the Federal Register within 90 days after the passage of the reauthorization of the MCAA. The Administrator is authorized to make grants to, and enter into contracts with public agencies or non-profit organizations with service programs designed:

1) to educate parents, children, and community agencies and organizations in ways to prevent the abduction of children;

2) to provide information to assist in the locating and return of missing children;

3) to aid communities in the collection of materials which would be useful to parents in assisting others in the identification of missing children;

4) to increase knowledge of and develop effective treatment pertaining to the psychological consequences, on both parents and children after the abduction of a child, both during the period of disappearance and after the child is recovered.

5) to collect detailed data from selected States or localities on the actual investigative practices utilized by law enforcement agencies in missing children's cases; and

6) to address the particular needs of missing children by minimizing the negative impact of judicial and law enforcement procedures on children who are victims of parental abduction.

In considering grant applications, the Administrator shall give priority to applicants who:

have demonstrated or demonstrate ability in-

1) locating missing children or locating and reuniting missing children with their legal custodians, or

2) providing other services to missing children or their families

The following recommendations are provided as suggested additions to the MCAA.

Recommendation 7

Calls regarding abductions by unknown individuals should be handled by the Federal Bureau of Investigation, with adequate appropriations made thereof, on a national basis. This type of case is most often a criminal matter and case investigations should be left to the FBI, in conjunction with localized Search and Rescue Teams and support efforts.

Recommendation 8

A rational use of photograph projects is a necessity. Although the government cannot mandate how a private agency utilizes photos of missing children, they should move to strike the photographs which appear on official mail and in Post Offices. This pro-active stance by the legislature will aid immensely in developing more effective ways to utilize the photographs of

missing children and will discourage private agencies from using these photos as an advertising campaign.

Recommendation 9

Any action taken by the legislature on the issue of International Parental Abduction should include proper appropriations and other provisions for enforcement both in the United States and the foreign country. In addition, a special section of the State Department should be assigned to these cases. This Special Section must be staffed by personnel who have become sensitized to the special needs of the parents left behind in these cases. These personnel must also receive in-depth training from direct service providers and other appropriate persons regarding all aspects of these cases.

Recommendation 10

Model programs for aftercare conseling services must be created by the OJJDP in order to train providers in this vital area. At present, when a child is returned home, neither the child nor the parent is prepared for the re-entry. Many times the unbalanced expectations and avoidance of root issues in this "reunion" situation inhibit the ability of the family to remain together.

Recommendation 11

The opening of the Endowment Fund for Missing and Exploited Children for competitive bid by direct service providers is an imperative priority. The monies in this Fund were solicited using federal dollars and commitments were made to use these funds to aid in the issue. It is entirely unfair to allow these funds to be used solely for the perpetuation of the National Center while limiting the access of other private, not for profit agencies providing the same services.

We welcome your comments and questions on this testimony. As you enter into the work of the reauthorization process, please keep at the forefront of your minds, that unless direct service providers are adequately funded for a consistent period of time, your constituents with missing children will ultimately go without aid.

Respectfully submitted,

Nikolette Thomas

Nikolette Thomas
Executive Director
Services for the Missing, Inc.

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